

## SEVENTH DAY

(Continued)

(Tuesday, September 9, 1969)

## After Recess

The President called the Senate to order at 9:30 o'clock a.m.

Reverend W. H. Townsend, Chaplain, offered the invocation.

## Message From the House

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 13, Directing the State Building Commission to report to the Speaker of the House of Representatives and the Lieutenant Governor of this State, or to their respective committees, the progress being made on the early completion of the Finance Building.

H. B. No. 73, To be known as the Texas Depositor Protection Act; providing for creation, operation and regulation of corporations; to provide deposit insurance for certain bank deposits within this state; defining terms; providing for severability; and declaring an emergency.

H. B. No. 76, Authorizing any political subdivision, as defined in this Act, to sell its water improvement bonds as defined in this Act, to use the proceeds for the purchase of state bonds as defined in this Act at not less than par and accrued interest to date of delivery, and resell the state bonds to the highest bidder even at a discount; requiring the subdivision to advertise for bids on state bonds; etc.; and declaring an emergency.

S. C. R. No. 5, Dedicating easements over certain tracts of land to the City of Austin.

S. B. No. 5, An Act defining dentistry and dental hygienists.

S. B. No. 9, Authorizing Water Control and Improvement Districts containing any city to annex terri-

tory heretofore or hereafter annexed to such city where the District provides water or sewer services to such city or its inhabitants thereof.

S. B. No. 21, An Act relating to workmen's compensation coverage for municipal employees; repealing Chapter 327, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 8309e, Vernon's Texas Civil Statutes); and declaring an emergency.

S. B. No. 24, An Act amending Article 21.07 of the Texas Insurance Code.

S. B. No. 26, An Act authorizing home-rule cities of this state to establish, acquire, lease, purchase, construct, improve, enlarge, equip, repair, operate, and maintain parking facilities for off-street parking.

S. B. No. 27, Authorizing the Tarrant County Commissioners Court and the El Paso County Commissioners Court to contract with political subdivisions for the performance of governmental services.

S. B. No. 30, Relating to the establishment of an advisory council for the study and research of the problems of children with learning disabilities.

S. B. No. 39, Relating to the appointment of a Chairman of the Governor's Committee on Aging.

S. B. No. 58, Establishing and adopting an Antiquities Code for the State of Texas.

(With amendments.)

S. B. No. 16, Declaring the public policy of the State of Texas concerning the maintenance and cleaning of public beaches.

(With amendments.)

S. B. No. 18, Relating to permits for the excavation of sand, marl, gravel, or shell from islands or peninsulas bordering on the Gulf of Mexico, etc.

(With amendment.)

S. B. No. 19, Providing for the creation of beach park boards in counties bordering on the Gulf of Mexico.

S. B. No. 20, Declaring a moratorium on the sale or leasing of the surface estate in a state-owned submerged lands, beaches and islands under any existing laws of this state.

S. B. No. 32, Amending Article 2824, Revised Civil Statutes of Texas; providing for the investment of the proceeds from the sale by any county of lands granted to it for educational purposes.

S. B. No. 34, Relating to the salaries of certain officials in certain counties.

(With amendment.)

S. B. No. 36, Relating to the creation of park boards of trustees by certain Home Rule cities bordering on the Gulf of Mexico.

(With amendment.)

S. B. No. 31, Amending Chapter 187, Acts of the 53rd Legislature, Regular Session.

(With amendments.)

S. B. No. 33, Amending Chapter 125, Acts of the 54th Legislature, Regular Session, 1955, relating to the official duties and compensation of the Criminal District Attorney of Galveston County.

(With amendments.)

S. B. No. 7, An Act relating to the filling of vacancies occurring in the number of trustees originally appointed under a valid charitable trust agreement.

S. B. No. 6, Providing that certain units of government may secure motor vehicle liability insurance under the assigned risk plan.

S. B. No. 8, To upgrade and clean up application for and certificate of voter registration.

(With amendment.)

S. B. No. 10, Relating to required provisions in accident and sickness policies.

S. B. No. 11, Relating to the sale and lease back and renting or leasing and purchase of land, etc., for county purposes in certain counties.

S. B. No. 14, Relating to the sale and lease back and renting or leasing and purchase of land, etc., for hospital district purposes in certain counties.

S. B. No. 23, To increase the pay of the county purchasing agent.

S. B. No. 29, Relating to the issuance of certain bonds of cities.

S. B. No. 35, Relating to certain motor vehicle liability insurance policies involving vehicles owned or held for sale or repair by a person engaged in such business.

S. B. No. 55, Relating to removing limitations on interest rates on public securities issued by public agencies, subject to certain exceptions; and declaring an emergency.

S. B. No. 64, Vesting control and management of Stephen F. Austin State College in a Board of Regents created by this Act.

S. C. R. No. 8, Granting J. J. Fritch permission to sue the state.

H. C. R. No. 5, Providing that the State Highway Commission be directed to provide by regulation for the issuance of "State Official" license plates.

H. C. R. No. 8, Granting permission to Gene Ashby to sue the State of Texas.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Leaves of Absence

Senator Blanchard was granted leave of absence for today on account of important business on motion of Senator Strong.

Senator Grover was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Bridges was granted leave of absence for today on account of important business on motion of Senator Hightower.

#### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

H. B. No. 2, A bill to be entitled "An Act appropriating money for the support of the judicial, executive, and legislative branches of State government; etc.; and declaring an emergency."

(Signed, subject to the provisions of Section 49a, Article III of the Constitution of the State of Texas.)

H. B. No. 21, A bill to be entitled "An Act providing an optional method of determining allocation of Foundation Program professional units under the Foundation School Program Act; etc.; and declaring an emergency."

H. B. No. 22, A bill to be entitled "An Act providing an allocation formula for certain school districts under the Foundation School Program Act; etc.; and declaring an emergency."

H. B. No. 66, A bill to be entitled "An Act re-enacting Article 995, Penal Code, relating to the penalty of forgery; etc.; and declaring an emergency."

S. B. No. 13, A bill to be entitled "An Act making it a misdemeanor for any person who is actively engaged in commercial harvesting of any trees or timber to cut a tree, or limb therefrom, wilfully causing such tree or limb to fall on any electric transmission or distribution line, or any telephone line or cable, breaking or damaging such line or cable so as to disrupt the service; providing a penalty; making such act cumulative; and declaring an emergency."

S. B. No. 17, A bill to be entitled "An Act providing for the imposition of criminal penalties for the display of any communication at any public beach which states that the public does not have the right of access to such public beach; providing certain exemptions; providing for venue; defining "public beach"; and declaring an emergency."

S. B. No. 22, A bill to be entitled "An Act creating new judicial districts and making necessary provisions for terms of court, transfer of cases, exchange of benches, matters of administration, appointment of initial judges, juvenile boards and supplemental compensation, court officers, court reporters, and jurisdiction; creating the office of district attorney for certain judicial districts and making necessary related provisions; amending certain laws and repealing certain laws to conform to this Act; making necessary transitional provisions; providing for severability; repealing laws in conflict; providing an effective date; and declaring an emergency."

(Signed, subject to the provisions of Section 49a, Article III of the Constitution of the State of Texas.)

#### House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 76, To Committee on County, District and Urban Affairs.

#### Report of Standing Committee

By unanimous consent, Senator Hall submitted the following report:

Austin, Texas,  
September 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 76, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD  
CONNALLY

#### House Bill 76 Ordered Not Printed

On motion of Senator Creighton, and by unanimous consent, H. B. No. 76 was ordered not printed.

#### Senate Concurrent Resolution 13

By unanimous consent, Senator Herring offered the following resolution:

S. C. R. No. 13, Authorizing the State of Texas to accept gifts of an historical nature.

Whereas, There exists in Texas no statewide museum for the preservation of objects which record the history of the living of all people; and

Whereas, There are many citizens throughout the state who are willing and anxious to assist in establishing a museum for all of the State of Texas without in anywise detracting from the many local and regional museums throughout the state and are willing to contribute their time, objects of history, and financial assistance; now, therefore, be it

Resolved that the Senate of the State of Texas, the House of Representatives concurring, Is authorized to accept gifts, money, property and objects of a tangible nature for the acquisition of a common site for such museum and for the construction of buildings, and the acceptance of contributions or objects of historical nature, such gifts, conveyances and contributions to be under the jurisdiction of the Texas Historical Survey Committee in the name of the State of Texas.

HERRING  
AIKIN  
HIGHTOWER

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Co-Author of Senate Concurrent Resolution 13

On motion of Senator Herring, and by unanimous consent, Senator Aikin will be shown as co-author of S. C. R. No. 13.

#### Senate Bills on First Reading

By unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 41, A bill to be entitled "An Act cancelling and releasing any future reversionary right and interest which the State of Texas may hold, and conveying and granting to the Austin Independent School District all right, title and interest of the State of Texas in and to property in the Original City of Austin; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Herring:

S. B. No. 42, A bill to be entitled "An Act amending Section 20 of Chapter 779, Acts of the 61st Legislature, Regular Session, 1969 (codified as Sec. 20, Article 1528e, Vernon's Texas Civil Statutes), so as to change the effective date thereof; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senator Herring:

S. B. No. 66, A bill to be entitled "An Act relating to the issuance of time warrants by certain independent school districts; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

(Senator Aikin in the Chair.)

#### Reports of Standing Committee

By unanimous consent, Senator Hall submitted the following reports:

Austin, Texas,  
September 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir, We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 41, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD

Austin, Texas,  
September 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir, We, your Committee on County, District and Urban Affairs to which was referred S. B. No. 42 have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD

Austin, Texas,  
September 8, 1969.

Hon. Ben Barnes, President of the Senate.

Sir, We, your Committee on County, District and Urban Affairs to which was referred S. B. No. 66, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD

(President in Chair.)

#### Senate Bill 41 Ordered Not Printed

On motion of Senator Herring, and by unanimous consent S. B. No. 41 was ordered not printed.

**Motion That Senate Bill 42 Be  
Ordered Not Printed**

Senator Herring asked unanimous consent that S. B. No. 42 be ordered not printed.

There was objection.

**Motion That Senate Bill 66 Be  
Ordered Not Printed**

Senator Herring asked unanimous consent that S. B. No. 66 be ordered not printed.

There was objection.

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 15, A bill to be entitled "An Act to provide jury trials in eminent domain water district cases, etc., and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Senate Bill 60 on Third Reading**

The President laid before the Senate on its third reading and final passage:

S. B. No. 60, A bill to be entitled "An Act authorizing any political subdivision, as defined in this Act, to sell its water improvement bonds as defined in this Act, use the proceeds for the purchase of state bonds as defined in this Act at not less than par and accrued interest to date of delivery, and resell the state bonds to the highest bidder even at a discount; etc., and declaring an emergency."

The bill was read third time.

Senator Creighton offered the following amendment to the bill:

Amend S. B. No. 60 by inserting a new Section 5A to read as follows:

Sec. 5A. This Act expires at midnight December 31, 1971.

The amendment was read and was adopted by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Word
Hightower	

**Absent**

Wilson

**Absent—Excused**

Berry	Grover
Blanchard	Harrington
Bridges	

Senator Creighton offered the following amendment to the bill:

Amend S. B. No. 60 as follows:

(1) Add to Section 1 the following:

"(e) 'net effective interest rate' means 'net effective interest rate' as such term is defined in Chapter 3, Acts of the 61st Legislature, Regular Session, 1969."

(2) Add at the end of Subsection (a), Section 2, the following: "In such sale of state bonds at a discount, the net effective interest rate shall not exceed the maximum net effective interest rate at which such subdivision can legally sell its own bonds."

The amendment was read and was adopted by the following vote:

**Yeas—25**

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Word
Hightower	

**Absent**

Wilson

**Absent—Excused**

Berry	Grover
Blanchard	Harrington
Bridges	

On motion of Senator Creighton, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was then passed by the following vote:

**Yeas—21**

Aikin	Kennard
Bates	Mauzy
Bernal	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Harris	Strong
Hazlewood	Wilson
Hightower	Word
Jordan	

**Nays—5**

Brooks	McKool
Hall	Watson
Herring	

**Absent—Excused**

Berry	Grover
Blanchard	Harrington
Bridges	

**Senate Bill 72 on First Reading**

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 72, A bill to be entitled "An Act amending Section (D) (2) and (L) (3), Article 20.01, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, to exclude the amount charged for certain labor or services from the definition of 'receipts' and 'sales price' within the meaning of the Limited Sales, Excise and Use Tax Act; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

**Report of Standing Committee**

By unanimous consent, Senator Hall submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 72, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.

WORD

CONNALLY

**Senate Bill 72 Ordered Not Printed**

On motion of Senator Herring, and by unanimous consent, S. B. No. 72 was ordered not printed.

**Senate Bill 58 With House Amendments**

Senator Kennard called S. B. No. 58 from the President's Table for consideration of the House amendments to the bill:

The President laid the bill and the following House amendments before the Senate:

**Committee Amendment No. 1**

Amend Senate Bill 58 by striking the following words in the last Sentence of Sec. 11:

"and the actual depository shall be the Texas Memorial Museum of the University of Texas."

**Committee Amendment No. 2**

Amend S. B. No. 58 by adding a phrase in Section 10 in the last sentence, after the word "permit" and before the comma, "at the site of such operation."

**Committee Amendment No. 3**

Amend S. B. No. 58 by deleting the words in Sec. 3 "and one person who is knowledgeable in antiquities as a result of his experience or professional duties" and substituting in lieu thereof the following: "the Director of the Texas Memorial Museum of the University of Texas."

**Committee Amendment No. 4**

Amend S. B. No. 58 as follows:

Add to the end of Section 17 a new sentence to read as follows: "Any citizen in the State of Texas shall have the power to bring an action in any

court of competent jurisdiction for restraining orders and injunctive relief to restrain and enjoin violations or threatened violations of the Act, and for the return of items taken in violation of the provisions hereof, and the venue of such actions shall lie in the county in which the activity sought to be restrained is alleged to be taking place or from which the items were taken."

#### Committee Amendment No. 5

Amend S. B. No. 58 as follows:

Renumber Sections 13 through 22 as 14 through 23 and add a new Section 13, to read as follows: "The restoration of antiquities for private parties is authorized and shall be under the rules and regulations promulgated by the Antiquities Committee, and all costs incurred in such restoration, both real and administrative, shall be paid by the private party."

The House amendments were read.

Senator Kennard moved that the Senate do not concur in the House amendments, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on S. B. No. 58 before appointment.

There were no motions offered.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Kennard, Christie, Schwartz, Harris and Word.

#### Senate Resolution 76

By unanimous consent, Senator Aikin offered the following resolution:

Whereas, It is of the utmost importance that the Texas Senate have comprehensive information pertaining to methods of financing state government during all sessions of the legislature; and

Whereas, The Senate Finance Committee carries the heavy burden of providing for the financing of state government, and members of the

committee devote long and tedious hours in developing and studying finance proposals and analyzing the possible effect of various measures on the Texas economy; and

Whereas, Adequate professional staff assistance to the Senate Finance Committee would greatly reduce the work load of the committee and subcommittee members and would also make available a continuing file of tax and revenue information for current and subsequent legislative sessions; now, therefore, be it

Resolved, That the Senate Finance Committee be, and it is hereby, authorized to employ adequate professional staff to serve the committee both during sessions and in the interim between sessions. Salaries and other expenses of the professional employees of the Senate Finance Committee shall be paid from the Contingent Expenses Fund of the Senate.

AIKIN  
JORDAN

The resolution was read and was adopted.

#### Senate Concurrent Resolution 14

By unanimous consent, Senator Aikin offered the following resolution:

S. C. R. No. 14, Authorizing appointment of two additional members of the House of Representatives by the Speaker of the House, and two additional members of the Senate by the Lieutenant Governor to be members of the Legislative Budget Board.

Whereas, The Legislative Budget Board performs for the Texas Legislature the essential function of preparing the general appropriation bills for introduction at each regular session of the legislature; and

Whereas, Membership on the Board is comprised of the Lieutenant Governor as chairman and four members of the Senate, appointed by the Lieutenant Governor and including the chairman of the Senate Finance Committee and the chairman of the State Affairs Committee; and the Speaker of the House of Representatives as vice chairman and four members of the House appointed by the Speaker and including the chairman of the Appropriations Committee and the chairman of the Revenue and Taxation Committee of the House of Representatives; and

Whereas, It is the sense of the Texas Legislature that the two Houses of the Legislature should have greater representation on the Legislative Budget Board in order to facilitate its activities; now, therefore, be it

Resolved by the Senate of the 61st Legislature, 2nd Called Session, the House of Representatives concurring, That the Lieutenant Governor and the Speaker of the House of Representatives be, and are hereby authorized to appoint two additional members each from the Senate and the House of Representatives, respectively, to serve on the Legislative Budget Board and to bring the full complement of membership to six members of the Senate and six members of the House of Representatives in addition to the Lieutenant Governor and the Speaker of the House.

The resolution was read.

On motion of Senator Aikin, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Bill 73 on First Reading

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Hightower:

S. B. No. 73, A bill to be entitled "An Act making an appropriation to the Western Information Network Association; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

#### Report of Standing Committee

By unanimous consent, Senator Hall submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 73, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
CONNALLY  
WORD

#### Senate Bill 73 Ordered Not Printed

On motion of Senator Hightower, and by unanimous consent, S. B. No. 73 was ordered not printed.

#### Senate Bill 8 With House Amendment

Senator McKool called S. B. No. 8 from the President's Table for consideration of the House amendment to the bill.

The President laid the bill and the following House amendment before the Senate:

#### Committee Amendment No. 1

Amend S. B. No. 8 by striking out all below the enacting clause and substituting the following:

Section 1. Subsection (1), as last amended by Section 14, House Bill 512, Acts of the 61st Legislature, Regular Session, 1969, and Subsection (2), Section 45a, Texas Election Code, as added by Section 2, Chapter 1, Acts of the 59th Legislature, 1st Called Session, 1966 (Article 5.13a, Vernon's Texas Election Code), are amended to read as follows:

"(1) A person may apply for registration in person or by mail as provided herein. Each applicant must submit a written application which supplies all the information required by Section 45b of this code. For the voting year 1970, the application may be made on any form which supplies all the information which an applicant is required to furnish by the provisions of this code as amended by the 61st Legislature, regardless of whether such information is supplied in the manner specified by such amendment or in the manner specified by the provisions of this code prior to such amendment, but a registrar shall not refuse to accept any application which contains sufficient information to enable him to determine that the applicant is eligible to register. For the voting year 1971 and thereafter, the application must be made on a form prescribed by the secretary of state. The secretary of state may prescribe one form or forms for use in counties using electronic data processing methods for issuing voter registration certificates and a different form for use in counties not using electronic data processing methods, but the registrar in each county must accept any application made upon any form pre-



scribed by the secretary of state which supplies all the necessary information for registration. In addition to other requirements, the application form shall contain the following statement: "I understand the giving of false information to procure the registration of a voter is a felony." The application shall be signed by the applicant or his agent. However, if the person making the application is unable to sign his name either because of physical disability or illiteracy, he shall affix his mark, if able to do so, which shall be attested by a witness, whose signature and address must be shown on the application. The registrar shall file and preserve all applications for a period of two years.

"When a properly executed application is received by the registrar, he shall make out a registration certificate and shall either deliver the original certificate to the voter or his agent in person or shall mail it to the voter at his permanent address; or if the voter is temporarily living outside the county and requests that the certificate be mailed to the temporary address, the registrar shall mail it to the temporary address. When application is made in person, the registrar may make out and deliver the certificate immediately or he may defer preparation of the certificate until a later time, to be mailed to the voter or held for delivery in person if the applicant so directs. A certificate which is to be mailed to the voter must be mailed in time to be received before the date on which it becomes effective for voting.

"An application by mail shall be deemed to have been received by the registrar within the period for registration if it is placed in the mail on or before the last day of the registration period, as shown by the postmark, or is delivered to the registrar before the end of the first business day following the close of the registration period. Within the meaning of this section, the application is delivered when it is actually placed into the possession of the registrar or his duly authorized agent by a post-office employee, or is deposited into the registrar's mail box, or is left at the usual place of delivery for the registrar's official mail.

"(2) The husband, wife, father, mother, son, or daughter of a person entitled to register may act as agent for such person in applying for registration, without the neces-

sity of written authorization therefor, may sign for the applicant, and may receive the registration certificate. However, none of the above may act as agent unless he is a qualified elector of the county. No person other than those mentioned in this subsection may act as agent for a person in applying for registration.

"Except as herein permitted, a person who wilfully acts as agent for another in applying for registration or in obtaining a registration certificate is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than Fifty Dollars (\$50) nor more than Five Hundred Dollars (\$500)."

Sec. 2. Section 45b, Texas Election Code, as added by Section 5, Chapter 414, Acts of the 60th Legislature, Regular Session, 1967 (Article 5.13b, Vernon's Texas Election Code), is amended to read as follows:

"45b. Information required on application

"An application for a voter registration certificate shall show the following information:

"1. The applicant's name, sex, and post-office address (or if living in an incorporated city or town, his street address).

"2. A statement of the applicant's age. If the applicant has not attained the minimum age for voting, the application shall show his date of birth by month, day and year. If the applicant has already attained the minimum age for voting, it shall be sufficient for the applicant to state that he is over the minimum voting age. In lieu of showing the applicant's age in terms of a number of years, age may be shown by stating the date of birth; and in case that form of statement is called for on the application, it shall be sufficient for an applicant who has attained the minimum voting age to state the year of his birth without giving the month and day, or to state that he was born prior to a certain year which shows him to be over the minimum age for voting.

"3. A statement that the applicant has resided in the state more than one year, in the county more than six months, and in the city or town (if a resident of an incorporated city or town) more than six months immediately preceding the date of application; or if not a resident for such length of time, a statement of the date on which he be-

came a resident of the state, county, or city, as the case may be.

"4. A statement that the applicant is a citizen of the United States.

"5. If the application is made by an agent, a statement of the agent's relationship to the applicant.

"The application form shall contain a space for showing the address to which the certificate is to be mailed, if it is to be mailed to a temporary address. It shall also contain a space for showing the election precinct in which the applicant resides, but an application shall not be deficient for failure to list the number or name of the precinct or for listing an incorrect number or name where the applicant's correct address is given. It may also contain a space for the applicant's Social Security number, but an application shall not be deficient for failure to list the number."

Sec. 3. Section 47a, Texas Election Code, as added by Section 2, Chapter 1, Acts of the 59th Legislature, 1st Called Session, 1966 (Article 5.15a, Vernon's Texas Election Code), is amended to read as follows:

"47a. Information required on certificate

"Each certificate shall show the voter's name, age, address, and election precinct number. If the registrant will not become eligible to vote until a date subsequent to the first day of the voting year for which the certificate is issued, or subsequent to the date of issuance, whichever is later, the certificate shall show the date on which he will become eligible to vote (the date on which he will attain minimum voting age, will fulfill residence requirements, or will satisfy the waiting period following registration, whichever is applicable). The certificate may also show other information which is furnished on the application, at the option of the registrar."

Sec. 4. Subsection (1), Section 51a, Texas Election Code, as added by Section 2, Chapter 1, Acts of the 59th Legislature, 1st Called Session, 1966 (Article 5.19a, Vernon's Texas Election Code), is amended to read as follows:

"(1) Before the first day of March each year, the registrar of voters shall prepare from the duplicate registration certificates on file in his office a certified list of registered voters for each election precinct of the county, arranged alphabetically by the names of the voters and showing each voter's

name, age, address, and registration number. If the registrant will not become eligible to vote until a date subsequent to the first day of the voting year for which the certificate is issued, or subsequent to the date on which his name is placed on the list of registered voters, whichever is later, the date on which he will become eligible to vote shall be noted on the list of registered voters. The registrar shall deliver to each board, executive committee, or other authority having the duty of furnishing supplies for any general, special, or primary election to be held within the county prior to the first day of March of the following year, one set of such lists for all precincts in the county if any election which may be held by such authority is countywide, and one set of such lists for all precincts wholly or partially within the boundaries of the particular political subdivision if all elections which may be held by such authority are less than countywide. The registrar shall also furnish to each such authority, not less than four days prior to each election held by it, certified supplemental lists in the same form hereinabove prescribed of registered voters in each precinct whose names do not appear on the original list for such precinct, together with lists of the names of all persons whose registration has been cancelled or transferred to another precinct since preparation of the original lists. The authority shall furnish to the presiding judge in each precinct the original and supplemental lists of voters in his precinct at the time it furnishes other election supplies. Prior to the opening of the polls, the presiding judge shall strike from the original list the names of persons whose registration has been cancelled or transferred to another precinct."

Sec. 5. This Act is effective beginning with registration for the 1970 voting year.

Sec. 6. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

Senator McKool moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

Senate Bill 72 on Second Reading

Senator Herring moved that Senate Rules 13, 30, and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 72 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas— 26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

The President then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 72, A bill to be entitled "An Act amending Statutes, as amended, to exclude the amount charged for certain labor or services from the definitions of "receipts" and "sales price" within the meaning of the Limited Sales, Excise and Use Tax Act; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

Senate Bill 72 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid S. B. No. 72 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

House Bill and Resolutions on First Reading

The following bill and resolutions received from the House, were read the first time and referred to the Committees indicated:

H. C. R. No. 5, To Committee on County, District and Urban Affairs.

H. C. R. No. 8, To Committee on County, District and Urban Affairs.

H. B. No. 73, To Committee on County, District and Urban Affairs.

(Senator Moore in Chair.)

Senate Bill 16 with House Amendments

Senator Schwartz called S. B. No. 16 from the President's table for

consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

#### Committee Amendment No. 1

Amend Senate Bill No. 16 by amending Sec. 7(b) to read as follows:

"(b) The Parks and Wildlife Department shall advise eligible cities and counties on the Gulf of Mexico of a period not less than sixty days after the effective date of this Act within which such eligible cities and counties may apply for a 'state share' of beach cleaning funds and counties and cities seeking reimbursement under the provisions of this Act shall submit proposed expenditures for the purpose of cleaning and maintaining public beaches to the Parks and Wildlife Department. The department shall distribute in a fair and impartial manner the 'state share' to counties and cities in accordance with procedures and accounting methods to be adopted by the Department."

#### Committee Amendment No. 2

Amend Senate Bill No. 16 by striking Subsection (d) of Section 7 entirely and by changing the designation of the remaining subsections accordingly.

#### Committee Amendment No. 3

Amend Section 9, S. B. 16, by striking the last sentence of the section and substituting therefor the following sentence after the words "free of charge.":

"This section shall not be construed to prohibit the assessment of a reasonable fee for off-beach parking, nor shall this section be construed to prohibit the assessment of a reasonable fee for the use of facilities provided for the use and convenience of the public."

#### Committee Amendment No. 4

Amend the Caption of Senate Bill 16 by striking it entirely and substituting in lieu thereof:

#### "AN ACT

declaring the public policy of the State of Texas concerning the maintenance and cleaning of public beach-

es; authorizing certain cities and counties to apply for state funds; providing certain requisites for an application for state funds by a city or county; allocating duties and responsibilities relating to the maintenance and cleaning of public beaches; providing for payment of state funds to certain cities and counties through the Parks and Wildlife Department; providing certain restrictions and limitations; authorizing contracts between certain cities and counties and between certain counties relating to cleaning of beaches; defining certain terms; providing certain exemptions; providing for severability; and declaring an emergency."

The House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

#### Senate Bill 31 with House Amendments

Senator Schwartz called S. B. No. 31 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

#### Amendment No. 1

Amend S. B. 31 by striking everything below the enacting clause and substituting therefor the following:

Section 1. Chapter 187, Acts of the 53rd Legislature, Regular Session,

1953, as last amended by Chapter 123, Acts of the 59th Legislature, Regular Session, 1965 (Article 1970-342, Vernon's Texas Civil Statutes), is amended by adding a new Section 4a to read as follows:

"Section 4a. Any vacancy occurring in the office of Judge of the County Court at Law No. 2 of Galveston County shall be filled by the Commissioners Court of Galveston County, Texas, and the appointee shall hold office until the next succeeding general election, and until his successor shall be duly elected and qualified."

Sec. 2. The importance of this Act and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

#### Amendment No. 2

Amend S. B. 31 by striking everything above the enacting clause and substituting the following:

#### A BILL TO BE ENTITLED

AN ACT amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as last amended by Chapter 123, Acts of the 59th Legislature, Regular Session, 1965 (Article 1970-342, Vernon's Texas Civil Statutes); providing for the filling of any vacancy in the office of Judge of County Court at Law No. 2 of Galveston County by the Commissioners Court of Galveston County; and declaring an emergency.

The House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed.

#### Senate Bill 34 with House Amendment

Senator Schwartz called S. B. No. 34 from the Presidents' table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

#### Amendment No. 1

Amend S. B. 34 by striking everything below the enacting clause and substituting therefor the following:

Section 1. In any county having a population of not less than 140,000 nor more than 150,000, according to the last preceding Federal Census, the district clerk, the county clerk, the assessor and collector of taxes, and the sheriff shall be paid a salary of not less than \$15,000 per annum as determined by the commissioners court of such county.

Sec. 2. In any county having a population of not less than 140,000 nor more than 150,000, according to the last preceding Federal Census, the chief deputy district clerk, the chief deputy county clerk, the chief deputy sheriff, and the deputy assessors and collectors of taxes shall be paid a salary of not more than \$12,500 per annum as determined by the commissioners court of such county.

Sec. 3. In any county having a population of not less than 140,000 and not more than 150,000, according to the last preceding Federal Census, the commissioners court may fix the salary of the deputies, assistants, and clerks of any district, county, or precinct officer in an amount not to exceed \$8,700 per year.

Sec. 4. The importance of this legislation and the crowded condition of the calendars in both Houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

Yeas—26

Aikin	Connally
Bates	Creighton
Bernal	Hall
Brooks	Harris
Christie	Hazlewood
Cole	Herring

Hightower	Ratliff
Jordan	Schwartz
Kennard	Snelson
Mauzy	Strong
McKool	Watson
Moore	Wilson
Patman	Word

Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

**Senate Bill 33 with House Amendments**

Senator Schwartz called S. B. No. 33 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the following House amendments before the Senate:

**Amendment No. 1**

Amend S. B. 33 by striking everything below the enacting clause and substituting therefor the following:

Section 1. Chapter 124, Acts of the 54th Legislature, 1955, as last amended by Section 1, Chapter 353, Acts of the 58th Legislature, 1963 (Article 326k-28, Vernon's Texas Civil Statutes), is amended by adding a new Section 3a to read as follows:

"Section 3a. It shall be the duty of the Criminal District Attorney of Galveston County to represent any county official or employee other than members of the commissioners court of Galveston County in any civil matter pending in any district court in Galveston County or in any inferior court in Galveston County which arises out of the performance of official duties by such official or employee."

Sec. 2. Section 4, Chapter 124, Acts of the 54th Legislature, 1955, as last amended by Chapter 353, Acts of the 58th Legislature, 1963 (Article 326k-28, Vernon's Texas Civil Statutes), is amended to read as follows:

"Section 4. The Criminal District Attorney of Galveston County shall be commissioned by the Governor and shall receive as salary and compensation the following: a salary of Five Hundred Dollars (\$500) from the State of Texas as provided in the Constitution of the State of Texas for the salary of District Attorneys, and such

sum to be paid out of the officers salary fund of Galveston County as will bring the total salary, including the salary provided in the Constitution, to an amount equal to the salary paid district judges from the General Revenue Fund of the State of Texas: If the officers' salary fund of Galveston County is inadequate, the commissioners court shall transfer the necessary funds from the general fund of the county to the officers' salary fund."

Sec. 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each house be suspended, and said Rule is hereby suspended; and that this Act take effect and be in force from and after its passage, and it is so enacted.

**Amendment No. 2**

Amend S. B. 33 by striking everything above the enacting clause and substituting therefor the following:

**A BILL  
TO BE ENTITLED**

AN ACT amending Chapter 124, Acts of the 54th Legislature, 1955, as amended, by adding Section 3a and amending Section 46 (Article 326k-28, Vernon's Texas Civil Statutes), relating to the official duties and compensation of the Criminal District Attorney of Galveston County; and declaring an emergency.

The House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

## Absent—Excused

Berry                      Grover  
Blanchard                Harrington  
Bridges

## Message From the House

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 12, A bill to be entitled "An Act relating to a change counselor, etc., and declaring an emergency."

S. C. R. No. 9, Creating the Consumer Credit Study Committee. (With amendment.)

S. B. No. 37, A bill to be entitled "An Act relating to the Court Juvenile Board, etc., and declaring an emergency." (With amendment.)

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

## Senate Bill 36 with House Amendment

Senator Schwartz called S. B. No. 36 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

## Amendment No. 1

Amend S. B. 36 by adding the following sentence at the end of the paragraph beginning "Section 3." in Section 1 of said Act: "Each trustee shall serve without compensation but shall be reimbursed for all necessary expenses, including traveling, incurred in the performance of his official duties."

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

## Yeas—26

Aikin                      Jordan  
Bates                      Kennard  
Bernal                      Mauzy  
Brooks                      McKool  
Christie                      Moore  
Cole                      Patman  
Connally                      Ratliff  
Creighton                      Schwartz  
Hall                      Snelson  
Harris                      Strong  
Hazlewood                      Watson  
Herring                      Wilson  
Hightower                      Word

## Absent—Excused

Berry                      Grover  
Blanchard                      Harrington  
Bridges

## Senate Bill 18 with House Amendment

Senator Schwartz called S. B. No. 18 from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the following House amendment before the Senate:

## Amendment No. 1

Amend subsection (1), Section 7, S. B. 18, to read as follows:

(1) to any taking, removing, carrying away, or excavation of sand, marl, gravel, or shell made for the purpose of constructing improvements upon real property, where such improvements are constructed upon the property where said taking, removing, carrying away, or excavation occurs.

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed.

(President in Chair.)

## Senate Resolution 77

By unanimous consent, Senator Aikin offered the following resolution:

Whereas, Mr. W. O. Williams of Dallas, Texas, has reached the age of 100 years; and

Whereas, Mr. Williams is the father-in-law of our distinguished and beloved former member, George Park-

house, now deceased, and the father of his wife, Dora Parkhouse; and

Whereas, It is the desire of the Senate to extend hearty congratulations to Mr. Williams upon having attained the age of 100 years; now, therefore, be it

Resolved, That a copy of this Resolution be mailed to him and a copy sent to his daughter, Mrs. George Parkhouse, over the signature of the Presiding Officer Lieutenant Governor Ben Barnes and the Secretary of the Senate; and, be it further

Resolved, That we wish for Mr. Williams many happy returns of the day and many more years of happiness.

AIKIN  
MAUZY  
HARRIS  
McKOOOL  
HIGHTOWER

Signed: Lieutenant Governor Ben Barnes; Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Hazlewood, Herring, Jordan, Kennard, Moore, Patman, Ratliff, Schwartz, Snelson, Strong, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hightower, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Aikin, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Motion to Suspend Senate Rule 100 Relative to Senate Bill 71

Senator Word moved to suspend Senate Rule 100 relative to S. B. No. 71.

The motion prevailed by the following vote:

#### Yeas—16

Aikin	Kennard
Brooks	Moore
Connally	Ratliff
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

#### Nays—8

Bates	Jordan
Bernal	Mauzy
Christie	Patman
Creighton	Schwartz

#### Absent

Cole	McKool
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#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

(President Pro Tempore in Chair.)

#### Senate Bill 73 on Second Reading

Senator Hightower moved that Senate Rules 13, 30, and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 73 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

The President Pro Tempore then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 73, A bill to be entitled "An Act making an appropriation to the Western Information Network Association; and declaring an emergency."

The bill was read the second time and was passed to engrossment.



**Senate Bill 73 on Third Reading**

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid S. B. No. 73 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

**Yeas—26**

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

**Absent—Excused**

Bridges	Grover
Berry	Harrington
Blanchard	

**Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 15, Providing for sine die adjournment.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

**Senate Concurrent Resolution 9  
with House Amendment**

Senator Bates called S. C. R. No. 9 from the President's table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

**Amendment No. 1**

Amend Senate Concurrent Resolution No. 9 by striking all the resolv-

ing clauses and inserting the following:

Resolved by the Senate of Texas, the House of Representatives concurring, That:

Section 1. The Consumer Credit Study Committee is hereby established, composed of two members-at-large appointed by the Governor, two members of the Senate appointed by the Lieutenant Governor, two members of the House of Representatives appointed by the Speaker, and the members of the State Finance Commission.

Sec. 2. The Consumer Credit Commissioner and the Texas Legislative Council are hereby requested to provide the study committee with what information and assistance they can in the performance of its task. The Study Committee may appoint such advisory committees as it deems useful and appropriate.

Sec. 3. The Study Committee shall first be assembled at the call of the Governor. The Committee shall then elect from its membership a chairman and a secretary.

Sec. 4. The members of the committee shall be reimbursed for their actual expenses incurred in carrying out the purposes of this resolution. The expenses of each legislative member shall be paid from the contingent expenses fund of the house of which he is a member, and expenses of the members-at-large shall be paid equally from the contingent expenses fund of the House and Senate.

Sec. 5. The Consumer Credit Study Committee shall undertake a study of the Uniform Consumer Credit Code, the Texas Consumer Credit Code, the Federal Truth in Lending Act and other relevant laws and regulations and shall report its findings and recommendations in these premises to the Governor, Lieutenant Governor and Speaker of the House of Representatives before the convening of the 62nd Legislature.

The amendment was read.

Senator Bates moved that the Senate concur in the House amendments.

The motion prevailed.

**Reason for Vote**

**Motion to Concur With House  
Amendment to S. C. R. 9**

The latest attempt of the Texas

Legislature to regulate consumer credit practices and rates was embodied in House Bill 1127 of the Regular Session of the 61st Legislature. This bill was passed by the House, but failed to pass the Senate in any of its many substituted versions.

I sincerely hope that the committee established by S. C. R. 9 will

seriously consider the borrower protections offered by the Uniform Consumer Credit Code, though I do not concur with the higher rates of interest it would authorize. I certainly do not concur with the higher rates of interest authorized by House Bill 1127. Some of these rates, as analyzed by the Commissioner for Consumer Credit of the State of Texas are set forth below:

### PROPOSED INTEREST RATES

Art. 3.15, H. B. 1127

(Loans \$100 to \$2,500 Paid in 12 Equal Monthly Installments)

Cash Advanced	Interest on Each Note			Total Note	Total Finance Charge	Effective Yield (%)
	18%	12%	8%			
\$ 100	18			\$ 118	\$ 18	31%
200	36			236	36	31%
300	54			354	54	31%
400	54	12		466	66	29½%
500	54	24		578	78	27%
600	54	36		690	90	26½%
700	54	48		802	102	26%
800	54	60		914	114	25½%
900	54	72		1026	126	25%
1000	54	84		1138	138	24½%
1100	54	84	8	1246	146	23¾%
1200	54	84	16	1354	154	23%
1300	54	84	24	1462	162	22¼%
1400	54	84	32	1570	170	21¾%
1500	54	84	40	1678	178	21½%
1600	54	84	48	1786	186	20¾%
1700	54	84	56	1894	194	20½%
1800	54	84	64	2002	202	20%
1900	54	84	72	2110	210	19¾%
2000	54	84	80	2218	218	19½%
2100	54	84	88	2326	226	19¼%
2200	54	84	96	2434	234	19%
2300	54	84	104	2542	242	19%
2400	54	84	112	2650	250	18¾%
2500	54	84	120	2758	258	18½%

### PROPOSED INTEREST RATES

Art. 3.16, H. B. 1127

Weekly Rates for \$200 Loan—H. B. 1127

Time	Charges	Weekly Payment	Interest Rate
4 Weeks	\$ 23.73	\$ 55.93	24½%

Loans of \$20 to \$200 Paid in Equal Monthly Payments

Installments for Two Months

Cash Advance	Monthly Payment	Total Charge	& Rate (%)
\$ 20	\$ 12.00	\$ 4.00	156%
40	25.50	11.00	214¼%
60	36.50	13.00	169½%
80	48.00	16.00	156¾%
100	59.00	18.00	141½%
120	70.00	20.00	131%
140	81.00	22.00	123¾%
160	92.00	24.00	118¼%
180	103.00	26.00	113¾%
200	114.00	28.00	110½%

## Installments for Twelve Months

Cash Advance	Monthly Payment	Total Charge	&	Rate (%)
\$ 80	\$	\$		
100				
120	15.00	60.00		82 $\frac{1}{4}$
140	16.83	62.00		73 $\frac{3}{4}$
160	18.67	64.00		67 $\frac{1}{4}$
180	20.50	66.00		62
200	22.33	68.00		57 $\frac{3}{4}$

Source: Figures and computations in above three schedules prepared by Consumer Credit Commission of Texas, 1969.

In addition, testimony by Edward C. Fritz before the Senate Committee on Jurisprudence on H. B. 1127 called attention to the following points in regard to the bill:

"1. On amounts lent in the \$300-\$1,000 bracket (Amendment to Art. 3.15, Consumer Credit Code), the bill would have, without economic or social justification, raised interest rates from \$8.00 per hundred to \$12.00 per hundred. Since the average size of Texas small loans (excluding small-small loans) is \$529.00, and this average increases year by year, the proposed 50% rate increase would hit most borrowers of such small loans very hard. Since companies making such loans in Texas made a profit of 11% on their capital investment in 1967, and such capital investment was expanded far above the national average for such loan companies, there is no basis for increasing the interest rates. These companies made a good profit in spite of inflation. No figures were available for 1968.

"It must also be considered that most of these companies directly or indirectly make an additional profit from tied-in credit insurance, over and above the 12% profit on loan business. In some such companies, the credit insurance profit amounts to more than the loan business profit. In most such companies, the credit insurance profit augments the loan profit by at least 50%.

"2. On amounts lent in the \$100-\$200 bracket (Amendment to Art. 3.16, Consumer Credit Code) the bill would, without social or economic justification, raise interest rates from \$18.00 per hundred dollars per year to \$4.00 per month, plus one-tenth of the cash advanced, which means from the present 31 $\frac{3}{4}$ % per year to as high as 241 $\frac{1}{4}$ % per year. This constitutes almost a 700% increase. Since these small-small loans are saddled primarily upon poor people who can least

afford to pay such rates, and who are kept in poverty by devoting too much of their income to interest payments, the rates should be lowered, rather than increased.

"3. This bill would gut the legal remedies available to consumers against unlicensed lenders (by amendment to Articles 1 through 8 of the Consumer Credit Code), negating the existing remedy of forfeiture of the principal and charges where a creditor makes small loans at usurious rates without a license.

"4. The only feature of the bill which is immaterial to consumers, the provisions attempting to substitute state control for federal control over disclosures, would and should be taken care of by clean bills which cover disclosure, only (S.B. 549 and H.B. 962)."

The fact that the Texas Legislature gave serious consideration to the House Bill described above is ample evidence of the great need for further study and analysis of our Texas Consumer Credit Code.

William N. Patman  
State Senator  
Eighteenth District

## Reports of Standing Committee

By unanimous consent, Senator Hall submitted the following reports:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. C. R. No. 5, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD  
CONNALLY

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 72, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD  
CONNALLY

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 73, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD  
CONNALLY

#### Senate Bill 74 on First Reading

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Aikin:

S. B. No. 74, A bill to be entitled "An Act relating to assessment and collection of taxes of independent school districts by the assessor and collector of an incorporated city or town; amending Subsection (e), Section 23.95, Texas Education Code; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

#### House Concurrent Resolution 5 Ordered Not Printed

On motion of Senator Moore, and by unanimous consent, H. C. R. No. 5 was ordered not printed.

#### House Concurrent Resolution 5 on Second Reading

On motion of Senator Moore, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 5, Providing that the State Highway Commission be directed to provide by regulation for the issuance of "State Official" license plates.

The resolution was read.

On motion of Senator Moore, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Record of Votes

Senators Herring and Watson asked to be recorded as voting "Nay" on the adoption of the above resolution.

#### Vote on Motion Not to Concur in House Amendments to Senate Bill 58 Reconsidered

On motion of Senator Kennard, and by unanimous consent, the vote by which the Senate refused to concur in House amendments to S. B. No. 58 was reconsidered.

Question—Shall the Senate concur in House amendments to S. B. No. 58?

Senator Kennard moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

#### Yeas—25

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word
Hightower	

#### Absent

Moore

#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

#### House Bill 72 Ordered Not Printed

On motion of Senator Wilson, and by unanimous consent, H. B. No. 72 was ordered not printed.

**House Bill 73 Ordered Not Printed**

On motion of Senator Wilson, and by unanimous consent, H. B. No. 73 was ordered not printed.

**House Bill 72 on Second Reading**

On motion of Senator Wilson, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 72, A bill to be entitled "An Act amending Statutes so as to allow the incorporation of a corporation whose purpose is to insure deposits for the benefit of bank and savings and loan association depositors; and declaring an emergency."

The bill was read second time.

Senator Wilson offered the following amendment to the bill:

Amend House Bill 72 by striking the period at the end of the last sentence of quoted subsection (4) of Section 1 and adding the following:

"or as a savings protection corporation with any one or more of its purposes to insure or guarantee the savings liability of savings and loan associations domiciled in this State under rules and regulations promulgated by the Savings and Loan Section of the Finance Commission of Texas and having the same privileges and immunities as a corporation registered under the Texas Depositor Protection Act."

The amendment was read and was adopted.

Senator Schwartz offered the following amendment to the bill:

Amend H. B. 72 by inserting a comma after the word "Texas" where it first appears in Section 2(b) and adding the words "or private or unincorporated bank existing under the laws of the State of Texas."

The amendment was read and was adopted.

On motion of Senator Wilson, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

**House Bill 72 on Third Reading**

Senator Wilson moved that the Constitutional Rule and Senate Rule 30 requiring bills to be read on three several days be suspended and that H. B. No. 72 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Kennard
Bates	Mauzy
Christie	McKool
Cole	Patman
Connally	Ratliff
Hall	Schwartz
Harris	Snelson
Hazlewood	Strong
Herring	Watson
Hightower	Wilson
Jordan	Word

Nays—1

Brooks

Absent

Bernal	Moore
Creighton	

Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Christie	McKool
Cole	Moore
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

Nays—2

Brooks	Patman
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Absent—Excused

Berry	Blanchard
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Bridges  
Grover

Harrington

#### House Resolution on First Reading

The following resolution received from the House, was read the first time and referred to the Committee indicated:

H. C. R. No. 13, To Committee on Contingent Expenses.

#### House Bill 73 on Second Reading

Senator Wilson moved that Senate Rules 13, 30 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 73 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—20

Aikin	Mauzy
Christie	McKool
Creighton	Moore
Hall	Ratliff
Harris	Schwartz
Hazlewood	Snelson
Herring	Strong
Hightower	Watson
Jordan	Wilson
Kennard	Word

#### Nays—2

Brooks	Patman
--------	--------

#### Absent

Bates	Cole
Bernal	Connally

#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

The President Pro Tempore then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 73, A bill to be entitled "An Act to be known as the Texas Depositor Protection Act; providing for creation, operation and regulation of corporations to provide deposit insurance for certain bank deposits within this state; defining terms; providing for severability; and declaring an emergency."

The bill was read the second time.

Senator Schwartz offered the following amendment to the bill:

Amend H. B. 73 by inserting a comma after the word "Texas" where it first appears in Section 2(b) and adding the words "or private or unincorporated bank existing under the laws of the State of Texas."

The amendment was read and was adopted by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

On motion of Senator Wilson, and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 73 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid H. B. No. 73 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

#### Yeas—24

Aikin	Herring
Bates	Hightower
Christie	Jordan
Cole	Kennard
Connally	Mauzy
Creighton	McKool
Hall	Moore
Harris	Patman
Hazlewood	Ratliff

Schwartz            Watson  
Snelson            Wilson  
Strong            Word

Nays—1

Brooks

Absent

Bernal

Absent—Excused

Berry            Grover  
Blanchard        Harrington  
Bridges

#### Reports of Standing Committee

Senator Hall by unanimous consent submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. C. R. No. 8, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD

Senator Hightower by unanimous consent submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Contingent Expenses, to which was referred H. C. R. No. 13, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HIGHTOWER, Chairman.

#### House Concurrent Resolution 8 Ordered Not Printed

On motion of Senator Herring, and by unanimous Consent, H. C. R. No. 8 was ordered not printed.

#### House Concurrent Resolution 13 Ordered Not Printed

On motion of Senator Hightower, and by unanimous consent, H. C. R. No. 13 was ordered not printed.

#### House Concurrent Resolution 8 on Second Reading

On motion of Senator Herring, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 8, Granting permission to Gene Ashby to sue the State of Texas.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Senate Bill 75 on First Reading

By unanimous consent, the following bill was introduced, read first time and referred to the Committee indicated:

By Senator Kennard:

S. B. No. 75, A bill to be entitled "An Act appropriating money for the Antiquities Committee, established under S. B. 58, 2nd Called Session, 61st Legislature, for the two-year period beginning September 1, 1969, and ending August 31, 1971; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

#### House Concurrent Resolution 13 on Second Reading

On motion of Senator Hightower, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 13, Directing the State Building Commission to report to the Speaker of the House of Representatives and the Lieutenant Governor of this State, or to their respective committees, the progress being made on the early completion of the Finance Building.

The resolution was read.

On motion of Senator Hightower, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Report of Standing Committee

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 75, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD

#### Senate Bill 75 Ordered Not Printed

On motion of Senator Kennard, and by unanimous consent, S. B. No. 75 was ordered not printed.

#### Vote on Final Passage of House Bill 72 Reconsidered

On motion of Senator Wilson, and by unanimous consent, the vote by which H. B. No. 72 was finally passed was reconsidered.

On motion of Senator Wilson, and by unanimous consent, the vote by which H. B. No. 72 was passed to third reading was reconsidered.

On motion of Senator Wilson, and by unanimous consent, the vote by which the amendment No. 2 to H. B. No. 72 was adopted was reconsidered.

On motion of Senator Schwartz, and by unanimous consent, Amendment No. 2 to H. B. No. 72 was withdrawn.

Question—Shall H. B. No. 72 as amended be passed to third reading?

The bill (H. B. No. 72) as amended was again passed to third reading.

The Constitutional Rule requiring bills to be read on three several days had been suspended, the bill (H. B. No. 72) as amended was again passed by the following vote:

#### Yeas—25

Aikin	Herring
Bates	Hightower
Bernal	Jordan
Christie	Kennard
Cole	Mauzy
Connally	McKool
Creighton	Moore
Hall	Patman
Harris	Ratliff
Hazlewood	Schwartz

Snelson	Wilson
Strong	Word
Watson	

#### Nays—1

Brooks

#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

#### Report of Standing Committee

Senator Hall, by unanimous consent, submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 74, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD  
CONNALLY

#### Senate Bill 74 Ordered Not Printed

On motion of Senator Aikin, and by unanimous consent, S. B. No. 74 was ordered not printed.

#### Senate Bill 74 on Second Reading

Senator Aikin moved that Senate Rules 13, 30, and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 74 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word



## Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

The President Pro Tempore then laid before the Senate on its second reading and passage to engrossment, the following bill:

S. B. No. 74, A bill to be entitled "An Act relating to assessment and collection of taxes of independent school districts by the assessor and collector of an incorporated city or town; amending Subsection (e), Section 23.95, Texas Education Code; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

## Senate Bill 74 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid S. B. No. 74 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

## Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

## Senate Bill 75 on Second Reading

Senator Kennard moved that Senate Rules 13, 30, and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 75 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

## Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

The President Pro Tempore then laid before the Senate on its second reading and passage to engrossment the following bill:

S. B. No. 75, A bill to be entitled "An Act appropriating money for the Antiquities Commission established under S. B. 58, 2nd Called Session, 61st Legislature, for the two-year period beginning September 1, 1969, and ending August 31, 1971; and declaring an emergency."

The bill was read the second time and was passed to engrossment.

## Senate Bill 75 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President Pro Tempore laid S. B. No. 75 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

## Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

## Absent—Excused

Berry	Blanchard
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Bridges  
Grover

Harrington

**Senate Bill 37 With  
House Amendment**

Senator Schwartz called S. B. No. 37 from the President's Table for consideration of the House amendment to the bill.

The President Pro Tempore laid the bill and the following House amendment before the Senate:

**Amendment 1**

Amend S. B. No. 37 by striking everything above the enacting clause and substituting the following:

**A BILL  
TO BE ENTITLED**

An Act relating to the Court of Domestic Relations for Galveston County, the Galveston County Juvenile Board, the Citizens Juvenile Advisory Board, and the Juvenile Officers of Galveston County; providing that County Court No. 1 and County Court No. 2 have concurrent jurisdiction with the Court of Domestic Relations in certain cases; amending Sections 2, 8, and 10, Chapter 64, Acts of the 57th Legislature, 3rd Called Session, 1962, as amended (Article 2338-16, Vernon's Texas Civil Statutes); and declaring an emergency.

The House amendment was read.

Senator Schwartz moved that the Senate concur in the House amendment.

The motion prevailed by the following vote:

**Yeas—26**

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

**Absent—Excused**

Berry	Grover
Blanchard	Harrington
Bridges	

**Senate Resolution 78**

By unanimous consent, Senator Bernal offered the following resolution:

Whereas, The Board of Cosmetology has been empowered by the Legislature of this state to review, qualify, license and regulate the members of that profession; and

Whereas, The citizens of Texas deserve and require an efficient functioning of this board, both as recipients of this service and as practitioners of this trade; and

Whereas, The schools that train the cosmetologists of this state have little or no regulation and that such regulations have been suggested and prescribed by members of the Board of Cosmetology and members of that trade as well.

Whereas, One member of the Board of Cosmetology has referred to the schools as "thorns in our sides" because of their lack of cooperation with this Board and their failure to treat students in a fair and equitable manner and their failure to transfer the hours of credit of these students; and

Whereas, These students have been denied access to the very contracts they have signed with these schools and have been required to train and to work more than the necessary hours required by statute and that this work-training often results in economic benefits to their school; and

Whereas, All former investigation of this industry has been directed at the Board and not the schools themselves; now, therefore, be it

Resolved by the Senate of Texas, That the State of Texas, through Senate General Investigating Committee or any appropriate agency of the State, investigate to the fullest extent the operation of the licensed schools of cosmetology of this State, and take such action as is required to regulate and control the operations of these schools so that our citizens can be protected; and, be it further

Resolved, That such Committee or Agency recommend whatever appropriate action is deemed necessary under the circumstances.

The resolution was read and was adopted.

**Record of Votes**

Senators Creighton, Watson, Word and Aikin asked to be recorded as

voting "Nay" on the adoption of the above resolution.

#### Message From the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

September 9, 1969.

To the Members of the Sixty-first Legislature, Second Called Session:

I hereby submit as additional subjects for consideration in the Second Called Session the following legislation:

1. Legislation validating proceedings relating to the issuance of revenue bonds authorized by incorporated cities, towns, villages and other political subdivisions under certain conditions, providing for the issuance of such revenue bonds, for their security and payment, their approval by the Attorney General, and registration by the Comptroller of Public Accounts.

Respectfully submitted,  
PRESTON SMITH  
Governor of Texas

#### Message From the House

Hall of the House of Representatives  
Austin, Texas.

September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 72, An Act amending Statutes to exclude the amount charged for certain labor or services from the definitions of "receipts" and "sales price" within the meaning of the Limited Sales, Excise and Use Tax Act; and declaring an emergency.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### At Ease

The President Pro Tempore at 11:44 o'clock a.m. announced the Senate would Stand At Ease Subject to Call of the Chair.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 12:10 o'clock p.m.

#### Recess

On motion of Senator Aikin the Senate at 12:11 o'clock p.m. took recess until 2:00 o'clock p.m. today.

#### After Recess

The President called the Senate to order at 2:00 o'clock p.m. today.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,

September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 25, A bill to be entitled "An Act declaring the public policy of this state regarding the recreational use of certain beaches; authorizing the licensing of certain business establishments which do not interfere with such use, etc.; and declaring an emergency."

(With amendments.)

S. B. No. 40, A bill to be entitled "An Act authorizing creation of a Hospital District over part of Freestone County, to be known as the Teague Hospital District, etc., and declaring an emergency."

S. B. No. 4, A bill to be entitled "An Act to provide for office space for Dallas County Legislators, etc., and declaring an emergency."

S. C. R. No. 13, Providing for acceptance of gifts by State of Texas.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 73 by a vote of 123 ayes, 8 noes, 1 present not voting.

All necessary rules suspended, and the House concurred in Senate amendments to House Bill No. 72, by a vote of 120 ayes, 8 noes, 1 present not voting.

H. B. No. 88, A bill to be entitled "An Act validating proceedings relating to the issuance of revenue bonds authorized by incorporated cities, towns, and villages under certain conditions; providing for the issuance of such revenue bonds, for their security and payment, their approval by the Attorney General and

registration by the Comptroller of Public Accounts; limiting the application of the Act; providing a severance clause; and declaring an emergency."

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Bill 25 With House Amendments

Senator Schwartz called S. B. No. 25 from the President's Table for consideration of the House amendments to the bill.

The President laid the bill and the following House amendments before the Senate:

#### Committee Amendment No. 1

Amend Sec. 9, S. B. 25, to read as follows:

"The provisions of this Act shall not apply to any public beach which is within the boundaries of a state park so designated by the Parks and Wildlife Department, nor shall this Act apply to any remote beach on any island or peninsula not accessible by public road or common carrier ferry facility, for so long as such condition shall exist."

#### Committee Amendment No. 2

Amend S. B. 25 by striking Section 8(a).

#### Amendment No. 1

Amend Sec. 3, S. B. No. 25, by striking the words "Commissioner of the General Land Office" and substituting therefor the words "Parks and Wildlife Department."

#### Amendment No. 2

Amend subsection (3), Section 4, S. B. 25, by striking the words "Commissioner may in his discretion" and substituting therefor the language "Department may in its discretion."

#### Amendment No. 3

Amend Section 5, S. B. 25, to read as follows:

"Sec. 5. Upon a finding that the issuance of a license would be consistent with recreational needs and the public welfare, and that the mobile business establishment authorized thereby would not create a traffic or

safety hazard, the Department shall grant such license, provided that the applicant has complied with the provisions of this Act, and such license shall be valid for one year from the date of issuance thereof. In the event the Department does not grant the application, he shall return the filing fee to the applicant.

#### Amendment No. 4

Amend subsection (1), Section 7, S. B. 25, to read as follows:

"(1) 'Department' shall mean the Parks and Wildlife Department."

#### Amendment No. 5

Amend Sec. 8, S. B. 25, by striking the words "Commissioner of the General Land Office" and substituting therefor the words "Parks and Wildlife Department."

#### Amendment No. 6

Amend subsections (1) and (2), Section 8, S. B. 25, by striking the word "Commissioner" wherever it appears and substituting therefor the word "Department."

#### Amendment No. 7

Amend Sec. 10, S. B. 25, by striking the word "Commissioner" and substituting therefor the word "Department."

#### Amendment No. 8

Amend Sec. 11, S. B. 25, by striking the words "Commissioner of the General Land Office" and substituting therefor the words "Parks and Wildlife Department."

#### Amendment No. 9

Amend subsection (1), Section 4, S. B. 25, by striking the word "Commissioner" and substituting in lieu thereof the word "Department."

#### Amendment No. 10

Amend subsection (1), Section 4, Senate Bill 25, by adding a new sentence at the end of said subsection to read as follows:

"Such fee shall be deposited in the State Treasury in the Land and Water Recreation and Safety Fund 63, and the Department is authorized to fund the expenses of carrying out this program out of this fund."

The House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed.

#### Senate Concurrent Resolution 15

By unanimous consent, Senator Schwartz offered the following resolution:

S. C. R. No. 15, Providing for the creation of the Interim Beach Study Committee.

Whereas, The Texas coastline extends for more than 1,150 miles along the Gulf of Mexico, its bays and inlets; and

Whereas, This coastline is held in trust by the State of Texas for the use and enjoyment of the public; and

Whereas, These state-owned beaches constitute one of the greatest physical assets of this state, both for tourism and for recreational development; and

Whereas, It is the affirmed public policy of this state that members of the public, individually and collectively, shall have the right of ingress to, and enjoyment of, the shoreline bordering on the Gulf of Mexico and its tidewater limits; and

Whereas, Pressures created by an expanding population, and the increasing demand for land adjacent to the coastline for recreational, commercial, and industrial development, make it imperative that the state, in its role as trustee for the people, take positive action to protect the rights of the public from future encroachment; and

Whereas, The Interim Beach Study Committee created by Senate Concurrent Resolution No. 46 of the 60th Legislature undertook an investigation into the problems of coastal development, and discovered a high degree of public awareness and interest in these complex problems; and

Whereas, It is the opinion of the Interim Beach Study Committee that the work begun by the 60th Legislature should be continued; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That an interim committee be created to make a study of problems peculiar to the various coastal lands and waters of Texas.

This committee to study the beaches of Texas shall be composed of three Representatives, to be appointed by the Speaker of the House of Representatives; three Senators, to be appointed by the Lieutenant Governor of the state; and, as ex officio members, the Land Commissioner of the State of Texas, or a representative appointed by such Land Commissioner; the Chief Engineer of the Highway Department of the State of Texas, or a representative appointed by such Chief Engineer; the Executive Director of the Parks and Wildlife Department, or a representative appointed by such Executive Director; and one interested citizen of the state, appointed by the Governor. The expense incurred by the legislative members of the committee in performing their duty shall be payable after having first been approved in writing by the Contingent Expenses Committee of each body, one-half out of the Contingent Expenses Fund of the House and one-half out of the Contingent Expenses Fund of the Senate. The committee shall prepare a budget for the operating expense of said committee which shall be submitted to the Contingent Expenses Committee of the Senate. The prior approval of such budget by such Contingent Expenses Committee shall be obtained before any payments may be made from such contingent funds. Prior approval by the Contingent Expenses Committee must be obtained before any non-budgeted expenses may be paid. The staff of the Texas Legislative Council is hereby requested to assist the committee in this study; and, be it further

Resolved, That the interim committee shall conduct the study and make its recommendations to the 62nd Legislature; and, be it further

Resolved, That the report of the special interim committee shall cover the following subjects:

(1) Clarification of the rights of ingress, egress, and enjoyment which are reserved to the public by the Open Beaches Act;

(2) A statutory framework for development of state and local beach parks with facilities available to the public;

(3) Increased safeguards for the protection of state-owned submerged lands, including a thorough investigation into the use now being made of submerged lands already sold or leased by the state;

(4) Analysis of the success of the legislative recommendations passed by the 61st Legislature upon the recommendation of the Interim Beach Study Committee in 1969; and

(5) Such other related matters as in the opinion of the interim committee should be included in such report so as to facilitate the development of Texas beaches as public recreational areas and to further their development for the benefit of the people of Texas.

The resolution was read.

On motion of Senator Schwartz, and by unanimous consent, the resolution was considered immediately and was adopted.

#### House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 88, To Committee on County, District and Urban Affairs.

#### Report of Standing Committee

By unanimous consent, Senator Hall submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 88, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD

#### House Bill 88 Ordered Not Printed

On motion of Senator Wilson, and by unanimous consent, H. B. No. 88 was ordered not printed.

#### House Bill 88 on Second Reading

Senator Wilson moved that Senate Rules 13, 30 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 88 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

#### Absent—Excused

Berry	Grover
Blanchard	Harrington
Bridges	

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 88, A bill to be entitled "An Act validating proceedings relating to the issuance of revenue bonds authorized by incorporated cities, etc.; and declaring an emergency."

The bill was read the second time and was passed to third reading.

#### House Bill 88 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 88 before the Senate on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

#### Yeas—26

Aikin	Jordan
Bates	Kennard
Bernal	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word

#### Absent—Excused

Berry	Blanchard
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Bridges  
Grover

Harrington

### Report of Standing Committee

By unanimous consent, Senator Hall submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred S. B. No. 71, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HALL, Chairman.  
WORD

### Senate Bill 71 Ordered Not Printed

Senator Word asked unanimous consent that S. B. No. 71 be ordered not printed.

There was objection.

Senator Word then moved that S. B. No. 71 be ordered not printed.

The motion prevailed by the following vote:

#### Yeas—19

Aikin	Kennard
Bridges	McKool
Brooks	Moore
Connally	Ratliff
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word
Jordan	

#### Nays—8

Bates	Creighton
Bernal	Mauzy
Blanchard	Patman
Cole	Schwartz

#### Absent

Christie

#### Absent—Excused

Berry	Harrington
Grover	

### Senate Bill 71 on Second Reading

Senator Word asked unanimous consent to suspend the regular order

of business and take up S. B. No. 71 for consideration at this time.

There was objection.

Senator Word then moved to suspend the regular order of business and take up S. B. No. 71 for consideration at this time.

The motion prevailed by the following vote:

#### Yeas—19

Aikin	Kennard
Bridges	McKool
Brooks	Moore
Connally	Ratliff
Hall	Snelson
Harris	Strong
Hazlewood	Watson
Herring	Wilson
Hightower	Word
Jordan	

#### Nays—8

Bates	Creighton
Bernal	Mauzy
Blanchard	Patman
Cole	Schwartz

#### Absent

Christie

#### Absent—Excused

Berry	Harrington
Grover	

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 71, A bill to be entitled "An Act making supplemental appropriations to Coordinating Board, Texas College and University System for contracts with Baylor University, College of Medicine in accordance with House Bill 586, 61st Legislature, Regular Session, 1969; and declaring an emergency."

The bill was read second time.

Senator Jordan offered the following amendment to the bill:

Amend S. B. 71 by adding the following:

Texas Southern University  
Equipment for Vocational and Technical Training programs,

For the Years Ending	
August 31,	August 31,
1970	1971
\$430,000	U.B.

The amendment was read.

Senator Harris raised the Point of Order that the amendment was not germane to the bill reference heretofore passed (H. B. No. 586, 61st Legislature, Regular Session 1969), which provided for this appropriation.

The President sustained the Point of Order.

Senator Harris offered the following amendment to the bill:

Amend S. B. No. 71, Article I, line 16, by adding the words "and Baylor University College of Dentistry" after the word "medicine."

**HARRIS  
HALL**

The amendment was read.

Senator Schwartz offered the following amendment to the pending amendment:

Amend the Harris amendment by adding S.M.U. School of Law and St. Mary's University in San Antonio.

The amendment was read.

Senator Harris raised the Point of Order that the amendment was not germane to the bill reference heretofore passed (H. B. No. 586, 61st Legislature, Regular Session, 1969), which provided for this appropriation.

The President sustained the Point of Order.

Question—Shall the amendment by Senator Harris to S. B. No. 71 be adopted?

#### Senate Resolution 85

By unanimous consent, Senator Herring offered the following resolution:

Whereas, During the 1st Called Session and the present 2nd Called Session, we have had particularly long, trying, and difficult sessions of the Senate; and

Whereas, The mechanics of administering the affairs of the Senate are so ably handled by the ladies who staff the desks responsible for such business; and

Whereas, These ladies daily demonstrate their efficiency, and have maintained their serenity and poise in the face of tremendous pressure; and

Whereas, It is the desire of the Members of the Senate to express their grateful appreciation to Mrs. Minnie Meier, Mrs. Betty King, Mrs. Hazel O'Quinn, Mrs. Florence Cotten, Mrs. Arline Morse, and Mrs. Polly Miller for their contribution to our orderly legislative processes; now, therefore, be it

Resolved, That the Senate commend these very fine ladies for their work, assistance to Members, and their dedication and loyalty to the Texas Senate.

The resolution was read and was adopted.

#### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 7, A bill to be entitled "An Act relating to the filling of vacancies occurring in the number of trustees originally appointed under a valid charitable trust agreement; and declaring an emergency."

S. B. No. 10, A bill to be entitled "An Act amending Section 3, Chapter 397, Acts of the 54th Legislature, 1955 (Article 3.70-3, Vernon's Texas Insurance Code), relating to required provisions in accident and sickness policies, to reduce from three years to two years the period during which the issuer of a policy may assert certain defenses; and declaring an emergency."

S. B. No. 11, A bill to be entitled "An Act relating to the sale and lease back and renting or leasing and purchase of land, buildings, facilities or equipment for county purposes in certain counties; and declaring an emergency."

S. B. No. 12, A bill to be entitled "An Act amending Section 5, and adding a Section 4a, Chapter 29, Acts of the 54th Legislature, Regular Session, 1955, relating to a change in the licensing of a life insurance counselor; prohibiting advertising; prohibiting Dual Compensation; and declaring an emergency."

S. B. No. 14, A bill to be entitled "An Act relating to the sale and lease back and renting



or leasing and purchase of land, buildings, facilities, or equipment for hospital district purposes in certain counties; and declaring an emergency."

S. B. No. 31, A bill to be entitled "An Act amending Chapter 187, Acts of the 53rd Legislature, Regular Session, 1953, as last amended by Chapter 123, Acts of the 59th Legislature, Regular Session, 1965 (Article 1970-342, Vernon's Texas Civil Statutes); providing for the filling of any vacancy in the office of Judge of County Court at Law No. 2 of Galveston County by the Commissioners Court of Galveston County; and declaring an emergency."

S. B. No. 32, A bill to be entitled "An Act amending Article 2824, Revised Civil Statutes of Texas, 1925; providing for the investment of the proceeds from the sale by any county of lands granted to it for educational purposes; and declaring an emergency."

S. B. No. 23, A bill to be entitled "An Act amending Section 1, of Chapter 9, Acts of the 46th Legislature, 1939, Regular Session, Special Laws, as amended; providing for the office of county purchasing agent in all counties of this state having a population of seventy-four thousand (74,000) or more inhabitants according to the last preceding Federal Census; providing bond for such agent; providing generally the rights, powers, and duties of such agent in reference to the handling and purchase of supplies, materials, and equipment in reference to the contracting for repairs to property and for expenditures generally; providing for the appointment, tenure, and compensation of said agent; providing for a repealing clause; and declaring an emergency."

S. B. No. 20, A bill to be entitled "An Act declaring a moratorium on the sale or leasing of the surface estate in state-owned submerged lands, beaches, and islands under any existing laws of this state, pending receipt of the Interagency Natural Resources Council's study of these submerged lands, beaches and islands or until May 31, 1973, whichever is earlier; providing certain exemptions; and declaring an emergency."

S. B. No. 19, A bill to be entitled "An Act providing for the creation of beach park boards in counties bordering on the Gulf of Mexico; providing certain exceptions; describing the duties and powers of such boards; making this Act cumulative of all other acts relating to county parks; providing for the autonomy of city beach park boards; providing for severability; reiterating rights; authority, and limitations delegated by Chapter 19, Acts of 56th Legislature, 2nd Called Session, 1959, as amended; and declaring an emergency."

S. B. No. 15, A bill to be entitled "An Act providing for appeals in eminent domain proceedings initiated by water control and improvement districts; providing for trial de novo in district courts; granting the right to trial by jury upon demand of either party; amending Subsection (1), Section 126, Chapter 25, Acts of the 39th Legislature, Regular Session, 1925, as amended (Article 7880-126, Vernon's Texas Civil Statutes); and declaring an emergency."

S. B. No. 6, A bill to be entitled "An Act to provide that certain units of government may secure motor vehicle liability insurance under the assigned risk plan subject to certain limits; amending Sections 33 as amended, and 35, Chapter 498, Acts of the 52nd Legislature, Regular Session, 1951 (Article 6701h, Vernon's Texas Civil Statutes); and declaring an emergency."

#### **Election of President Pro Tempore Ad Interim**

The President announced that the next order of business was the election of a President Pro Tempore Ad Interim.

Senator Jordan nominated Senator Criss Cole of Houston to be President Pro Tempore of the Senate Ad Interim.

Senators Word, Brooks, Blanchard, Schwartz, Creighton, Hall, Hazlewood, Hightower, Aikin, Strong, Wilson, Bates, Snelson, Watson and Moore seconded the nomination of Senator Cole for the President Pro Tempore Ad Interim.

The President appointed Senators Hightower, Aikin, Bates and Moore as

tellers to take up and count the ballots.

The tellers reported that Senator Cole had received twenty-seven votes with one present and not voting and the President declared him duly elected as President Pro Tempore Ad Interim of the Second Called Session of the Sixty-first Legislature.

The President appointed Senators Jordan, Brooks, Schwartz, Bates and Aikin to escort Senator and Mrs. Cole to the President's Rostrum.

The President administered the Constitutional Oath of Office and extended best wishes to Senator Cole and then presented him to the Senate.

The President Pro Tempore Ad Interim then addressed the Senate stating "I first would like to say that I appreciate very much Senator Jordan's placing my name in nomination. I also want to say to you that I appreciate Senator Schwartz's kind words.

"It is indeed a pleasure and an honor to me to have been elected to this office. After almost sixteen years in this Texas Legislature, it has become a part of our life. I will do the best I can to maintain the dignity of this office while I hold it.

"Of course, we have all worked many hours together throughout the years in trying to do what we feel is best for our people. We often come up with questions as to whether or not we do the right thing, but I think that if people only knew the sacrifices this Legislature makes for their interests, that the Legislature would stand in a better light. I am convinced that the majority of legislators and public officials of this State are doing a tremendous job for the people. I would hope that all of you will continue in public office and that you will do what should be done for the people. I, along with Joanne, thank you for this great honor."

(President Pro Tempore in Chair.)

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 60, A bill to be entitled "An Act authorizing any political subdivision, as defined in this Act, to sell its water improvement bonds as defined in this Act, use the proceeds for the purchase of state bonds as defined in this Act at not less than par and accrued interest to date of delivery, and resell the state bonds to the highest bidder even at a discount; etc., and declaring an emergency."

S. B. No. 75, A bill to be entitled "An Act appropriating money for The Antiquities Committee; etc., and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Concurrent Resolution 16

By unanimous consent, Senator Creighton offered the following resolution:

S. C. R. No. 16, Naming the new Rehabilitation Center for the Blind the Criss Cole Rehabilitation Center for the Blind.

Whereas, Senator Criss Cole has contributed much of his life to the services of his State and Country both as a distinguished Marine, as a member of the House of Representatives and as a member of the Texas Senate; and

Whereas, Much of his contribution as a state official has been in humanitarian efforts in the fields of water and air pollution and the welfare of all Texans including the guiding of the affairs of the Texas Blind Commission; and

Whereas, The Legislature of the State of Texas would like to honor Senator Cole in a significant and lasting manner as a tribute to the devotion and dedication to the State of Texas; now, therefore, be it

Resolved by the Senate of the Second Called Session of the 61st Legislature, the House of Representatives concurring, That the State Building Commission and the Commission for the Blind be instructed to name the new Rehabilitation Center for the Blind the Criss Cole Rehabilitation Center for the Blind in honor and tribute to this distinguished Texan.

CREIGHTON  
SCHWARTZ  
HERRING

SNELSON  
HAZLEWOOD  
CONNALLY  
STRONG  
HIGHTOWER

Signed—Lieutenant Governor Ben Barnes; Aikin, Bates, Bernal, Berry, Blanchard, Bridges, Brooks, Christie, Cole, Grover, Hall, Harrington, Harris, Jordan, Kennard, Mauzy, McKool, Moore, Patman, Ratliff, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin, and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Creighton, and by unanimous consent, the resolution was considered immediately and was adopted.

The Members of the Senate gave Senator Cole a standing ovation.

Senator Cole expressed appreciation to the Members of the Senate.

#### **Lieutenant Governor Barnes Praised by the Senate**

Senator Aikin, the Dean of the Senate, was recognized by the Presiding Officer and he expressed the appreciation of the Members of the Senate to Lieutenant Governor Barnes for his fairness, consideration and loyalty to the Senate during the many days of the Special Sessions. He further stated that Governor Barnes was the most cooperative Presiding Officer the Senate had ever known in his dealings with the Members.

The Members of the Senate and employees gave Governor Barnes a standing ovation.

#### **Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 17, Commending Russell Fish and the staff of the Texas Legislative Service.

H. C. R. No. 16, Commending the members of the Capitol Police Force.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

(President in Chair.)

#### **House Concurrent Resolution 17 on Second Reading**

On motion of Senator Herring, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 17, Commending Russell Fish and the staff of the Texas Legislative Service.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

#### **Message From the House**

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 4, Creating the Delinquent Ad Valorem Tax Study Commission.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### **House Concurrent Resolution 16 on Second Reading**

On motion of Senator Herring, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 16, Commending the members of the Capitol Police Force.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

#### **Bills and Resolutions Signed**

The President signed in the presence of the Senate after the caption

had been read, the following enrolled bills and resolutions:

H. C. R. No. 5, Providing that the State Highway Commission be directed to provide by regulation for the issuance of "State Official" license plates.

H. C. R. No. 8, Granting permission to Gene Ashby to sue the State of Texas.

H. C. R. No. 13, Directing the State Building Commission to report to the Speaker of the House of Representatives and the Lieutenant Governor of this State, or to their respective committees, the progress being made on the early completion of the Finance Building.

H. B. No. 72, A bill to be entitled "An Act amending Subsection B, Article 2.01 of the Texas Non-Profit Corporation Act (Article 1396-2.01, Vernon's Texas Civil Statutes), so as to allow the incorporation of a corporation whose purpose is to insure deposits for the benefit of bank and savings and loan association depositors; and declaring an emergency."

H. B. No. 73, A bill to be entitled "An Act to be known as the Texas Depositor Protection Act; providing for creation, operation and regulation of corporations to provide deposit insurance for certain bank deposits within this state; defining terms; providing for severability; and declaring an emergency."

#### Senate Resolution 89 (Caucus Report)

By unanimous consent, Senator Aikin offered the following resolution:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: At a caucus held on September 9, 1969, and attended by 26 members of the Senate, the following recommendations were made, to-wit:

Be it Resolved by the Senate, That the following named employees be retained for a number of days at the per diem salary specified in each case to perform such duties as may be required of them in connection with the business of the State, viz.:

The Lieutenant Governor may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session, and in addition thereto he and the Secretary of the Senate shall be furnished postage, telegraph, telephone, express and all other expenses incident to their respective offices.

The Secretary of the Senate shall be retained during the interval between adjournment of this session and the convening of the next session of the Legislature, for which services he shall receive \$1475 per month. The Secretary of the Senate may employ such employees as are necessary for the operation of his office from the closing of this session and until the convening of the next session.

The Warrant Clerk shall be retained at a monthly salary of \$675 per month.

The Calendar Clerk shall be retained for a period of 14 days at a salary of \$25 per day and the Assistant Calendar Clerk for a period of 14 days at a salary of \$18 per day.

The Journal Clerk shall be retained until the completion of the bound Journal at a monthly salary of \$765 per month, and the Assistant Journal Clerk shall be retained for a similar period at a salary of \$675 per month.

The Sergeant-at-Arms, Jeff Davis, shall be retained for the ad interim at a salary of \$950 per month, and one assistant, Mrs. Martha Montague, for the ad interim at a salary of \$675 per month, and 3 assistants for 14 days at \$14 per day.

The Lieutenant Governor may employ or retain at \$380 per month as many porters as may be necessary, and a head porter at \$600 per month.

The Enrolling and Engrossing Clerk shall be retained for 14 days at \$25 per day, and 2 assistants to assist her shall be retained for 14 days at \$19 per day, and 1 assistant for 14 days at \$15 per day, and 2 for 14 days at \$14 per day.

The private secretary or secretaries of each Senator may be retained for 14 days at not to exceed a total of \$18 per day to perform such duties as may be required of them.

The Mailing Clerk of the Senate shall be retained for 14 days at \$25 per day and 1 assistant for 14 days at \$18 per day, and 3 assistants for 14 days at \$12 per day, and 1 assist-

ant for \$14 per day for 7 days, and 1 assistant for \$14 per day for 14 days.

The Postmistress shall be retained at a salary of \$18 per day for 10 days.

The Chairman of the Senate Committee on Contingent Expenses is hereby authorized and directed to cause the Senate Chamber to be placed in order and an inventory made of all furniture and fixtures in the Senate Chamber and in the private offices of the members, as well as of the supplies and equipment on hand in the room of the Sergeant-at-Arms, and close his books for the Regular Session and First and Second Called Session of the Sixty-first Legislature. He shall also examine records and accounts payable out of the Contingent Expenses Fund as shall be necessary, properly to approve all claims and accounts against the Senate, and no claim or account shall be paid without his consent and approval, and he and any member of the Contingent Expenses Committee shall be entitled to receive his actual and necessary expenses incurred during the interim.

Resolved, That there shall be printed 325 volumes of the Senate Journal of the Regular Session of the Sixty-first Legislature and when completed, 250 copies shall be bound in buckram and delivered to the Secretary of the Senate and one volume thus bound shall be forwarded by the Secretary of the Senate to each member of the Senate and House of Representatives, to the Lieutenant Governor, and 75 paper bound copies shall be furnished to the State Library. The printing of such Journals shall be done in accordance with the provisions of this Resolution under the supervision of the Chairman of the Committee on Contingent Expenses; provided, further, that it shall be the duty of said Chairman to refuse to receive or receipt for said Senate Journals until corrected and published in accordance with the pre-existing law as finally approved by the Chairman of the Committee on Contingent Expenses of the Senate. When the accounts have been certified to by the Chairman of the Committee on Contingent Expenses of the Senate, said accounts shall be paid out of the Contingent Expenses Fund of the Sixty-first Legislature; and, be it further

Resolved, That all salaries herein authorized to be incurred and paid for

shall be paid out of the per diem and contingent expenses fund of the Sixty-first Legislature upon vouchers signed by the Lieutenant Governor and the Secretary of the Senate. All warrants for the payment of materials, supplies and expenses of the Senate shall be paid upon vouchers signed by the Lieutenant Governor and Chairman of the Senate Committee on Contingent Expenses; and, be it further

Resolved, That in furtherance of the Legislative duties and responsibilities of the Senate, the Contingent Expenses Committee is hereby authorized and directed to reimburse for all actual expenses incurred by the members when traveling in performance of such duties and responsibilities or incident thereto, and, further, the Contingent Expenses Committee is hereby authorized and directed to pay for all other reasonable and necessary expenses incurred by the members of the Senate during any period the Legislature is not in session. Expenditures for these services hereby authorized as an expense of the Senate shall not be restricted to Austin, but may be incurred and reimbursed with Contingent funds of the Senate to the individual Senatorial Districts. Such expenses shall be paid from funds appropriated for the use of the Senate on vouchers approved by the Chairman of the Contingent Expenses Committee and the Lieutenant Governor in accordance with regulations governing such expenditures; and, be it further

Resolved, That any reimbursement for actual travel expenses or other reasonable and necessary expenses incurred in the furtherance and performance of legislative duties or incident thereto should not exceed \$1,700 per month, for the office of each member. In no instance, however, shall the interim expense for the office of any member exceed the monthly amount times the number of months or parts thereof comprising the interim. The Sergeant-at-Arms and the Secretary of the Senate are instructed not to prepare for payment any expense in excess of such amount.

The total amount of expenses of any kind allowable hereunder for any member shall be cumulative; and, be it further

Resolved, That the cash balance on hand under the provisions of S. R. No. 15 of the Forty-seventh Legislature be turned over to the Secretary of

the Senate and he is directed to have full charge of the vending machines and to expend receipts thereof as now authorized by said Resolution; and, be it further

Resolved, That a matron be retained for the women's rest room at a salary of \$350 per month; and, be it further

Resolved, That the Lieutenant Governor and the Chairman of the Senate Committee on Contingent Expenses shall have authority to employ such additional personnel as may from time to time be required and to purchase such supplies and to make all such repairs and improvements as are necessary between the adjournment of this session and the convening of the next session of the Legislature; and, be it further

Resolved, That the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee; and, be it further

Resolved, That the Lieutenant Governor shall have the authority to appoint any member of the Senate or the Secretary of the Senate to attend National Legislative Conferences and other similar meetings. Necessary and actual expenses are hereby authorized upon the approval of the Chairman of the Contingent Expenses Committee; and, be it further

Resolved, That with the approval of the Lieutenant Governor and the Chairman of the Committee on Contingent Expenses, the actual expenses of members serving on interim committees whose expenses are not otherwise provided for shall be reimbursed from the Contingent Expenses Fund; and, be it further

Resolved, That the Lieutenant Governor is authorized to appoint Rev. W. H. Townsend, Senate Chaplain, during the ad interim as an Assistant to work under the direction of the Lieutenant Governor and the Chairman of the Contingent Expenses Committee at a salary of \$460 per month.

The Sergeant-at-Arms is specifically directed not to permit the removal of any of the property of the Senate

from the Senate Chamber or the rooms of the Senate.

Respectfully submitted,  
AIKIN  
Chairman of the Caucus  
HIGHTOWER  
Secretary of the Caucus

The resolution was read and was adopted.

#### Record of Votes

Senators Word, Ratliff, Wilson, Hall, Strong, Patman, Snelson, Blanchard, Herring, Aikin, Hightower, Hazlewood, and Jordan asked to be recorded as voting "Nay" on the adoption of the above resolution.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 78, A bill to be entitled "An Act relating to the issuance of time warrants by certain independent school districts; and declaring an emergency."

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### House Bill on First Reading

The following bill received from the House, was read the first time and referred to the Committee indicated:

H. B. No. 78, To Committee on County, District and Urban Affairs.

#### Report of Standing Committee

Senator Connally, by unanimous consent, submitted the following report:

Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on County, District and Urban Affairs, to which was referred H. B. No. 78, have had the same under consideration, and we are instructed to report it back to

the Senate with the recommendation that it do pass, and be printed.

CONNALLY,  
Vice-Chairman  
WORD

#### House Bill 78 Ordered Not Printed

On motion of Senator Herring, and by unanimous consent, H. B. No. 78 was ordered not printed.

#### House Bill 78 on Second Reading

Senator Herring moved that Senate Rules 13, 30 and 36 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 78 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

#### Absent—Excused

Berry	Harrington
Grover	

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 78, A bill to be entitled "An Act relating to the issuance of time warrants by certain independent school districts; and declaring an emergency."

The bill was read the second time and was passed to third reading.

#### House Bill 78 on Third Reading

The Constitutional Rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 78 before the Senate

on its third reading and final passage.

The bill was read the third time and was passed by the following vote:

#### Yeas—28

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Blanchard	Mauzy
Bridges	McKool
Brooks	Moore
Christie	Patman
Cole	Ratliff
Connally	Schwartz
Creighton	Snelson
Hall	Strong
Harris	Watson
Hazlewood	Wilson
Herring	Word

#### Absent—Excused

Berry	Harrington
Grover	

#### Senate Concurrent Resolution 17

By unanimous consent, Senator Creighton offered the follow resolution:

S. C. R. No. 17, Granting authority for return of the Battalion Activa De Toluca Flag to the Republic of Mexico in exchange for the Flag of the Alamo.

Whereas, The azure blue banner of the New Orleans Grays with its inscription "God and Liberty," was the battle flag of the Texas patriots who fought at the Alamo; and

Whereas, The flag carried into battle by these 187 valiant men and is now enshrined in the Mexico National Archives at Chapultepec Castle; and

Whereas, Of equal importance and significance to our great sister Country of Mexico, the Battalion Activa De Toluca Flag, proudly flown by General Antonio Lopez de Santa Anna and his Army which was captured at the Battle of San Jacinto is now on display at the San Jacinto Memorial Building; and

Whereas, An equitable arrangement has been achieved through negotiations with the Republic of Mexico for the exchange of the flag of the Alamo for the San Jacinto Flag; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That authority is hereby granted for the return of the Batal-

lion Activa De Toluca Flag to the Republic of Mexico in exchange for the Flag of the Alamo with sincere hope that this exchange will demonstrate the bond of affection and esteem which exists between these two great governments.

CREIGHTON  
SCHWARTZ

The resolution was read.

On motion of Senator Creighton, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 73, A bill to be entitled "An Act making an appropriation to the Western Information Network Association; and declaring an emergency."

S. C. R. No. 16, Authorizing Building Commission and State Blind Commission to rename Rehabilitation Center for the Blind the Criss Cole Rehabilitation Center for the Blind.

S. C. R. No. 15, Establishing an Interim Committee to study the beaches of Texas.

S. C. R. No. 17, Granting authority for the return of the Batallion Activa De Toluca Flag to the Republic of Mexico in exchange for the Flag of the Alamo.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Bill 71 on Second Reading

The Senate resumed the consideration of the pending business, same being S. B. No. 71 with an amendment by Senator Harris pending.

Question—Shall the amendment by Senator Harris to S. B. No. 71 be adopted?

The amendment was adopted.

Senator Jordan offered the following amendment to the bill:

Amend S. B. No. 71 by adding the following:

Section —. The following specified sum of money is hereby appropriated to the Coordinating Board for the following purpose and for that purpose only:

Texas Southern University  
Equipment for Vocational and Technical Training programs.

For the Years Ending	
August 31,	August 31,
1970	1971
\$430,000	U.B.

The amendment was read and was adopted.

Senator Brooks offered the following amendment to the bill:

Amend S. B. No. 71 by striking the word "University" wherever it appears in the bill, except where it refers to Texas Southern University.

The amendment was read and was adopted.

Senator Schwartz offered the following amendment to the bill:

Amend S. B. 71 by changing the figures \$600,000.00 to read \$1,000,000 where they appear.

The amendment was read.

On motion of Senator Word, and by unanimous consent, further consideration of S. B. No. 71 was withdrawn.

#### House Concurrent Resolution 15 on Second Reading

On motion of Senator Aikin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 15, Providing for sine die adjournment.

The resolution was read.

Senator Aikin offered the following amendment to the resolution:

Amend H. C. R. 15 by striking out the words and figures 3 p.m. and insert in lieu thereof 6 p.m.

The amendment was read and was adopted.



The resolution as amended was then adopted.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. B. No. 88, A bill to be entitled "An Act validating proceedings relating to the issuance of revenue bonds authorized by incorporated cities, towns, and villages under certain conditions; etc., and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act relating to the issuance of time warrants by certain independent school districts; and declaring an emergency."

H. C. R. No. 16, Commending the members of the Capitol Police Force.

H. C. R. No. 17, Commending Russell Fish and the staff of the Texas Legislative Service.

#### At Ease

On motion of Senator Aikin, and by unanimous consent, the Senate at 4:10 o'clock p.m. agreed to Stand At Ease subject to the Call of the Chair.

#### In Legislative Session

The Presiding Officer (Senator Blanchard in Chair) called the Senate to order as In Legislative Session at 5:45 o'clock p.m. today.

#### Message From the House

Hall of the House of Representatives  
Austin, Texas,  
September 9, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has concurred in Senate amendments to H. C. R. No. 15 by non-record vote.

Respectfully submitted,

DOROTHY HALLMAN,

Chief Clerk, House of Representatives

#### Resolution Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the caption

had been read, the following enrolled resolution:

H. C. R. No. 15, Providing for sine die adjournment of the Texas Legislature.

#### At Ease

The Presiding Officer (Senator Blanchard in the Chair) announced at 5:46 o'clock p.m. that the Senate would Stand At Ease Subject to the Call of the Chair.

#### In Legislative Session

The President called the Senate to order as In Legislative Session at 5:50 o'clock p.m.

#### Bills Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills:

S. B. No. 24, A bill to be entitled "An Act amending Texas Insurance Code, as amended, by amending Article 21.07, and enacting a new Article 21.07; providing applicability of Article 21.07 to all persons acting or seeking authority to act as an agent of any local mutual aid association, local mutual burial association, statewide; etc.; and declaring an emergency."

S. B. No. 75, A bill to be entitled "An Act appropriating money for the Antiquities Committee, established under S. B. 58, 2nd Called Session, 61st Legislature, for the two-year period beginning September 1, 1969, and ending August 31, 1971; and declaring an emergency."

S. B. No. 73, A bill to be entitled "An Act making an appropriation to the Western Information Network Association; and declaring an emergency."

The two above bills—Signed, subject to the provisions of Article III, Section 49a of the Constitution of the State of Texas.

#### Motion in Writing

Senator Herring submitted the following Motion in Writing:

September 9, 1969.

Mr. President: I move that the President be authorized to appoint a Committee of five (5) members to notify the Governor that the Senate has completed its labors and is ready to adjourn sine die.

The Motion in Writing was read and was adopted.

The President announced the appointment of the following as a committee to notify the Governor: Senators Herring, Creighton, Word, Bridges and Strong.

#### Motion in Writing

Senator Kennard submitted the following Motion in Writing:

September 9, 1969.

Mr. President: I move that the President be authorized to appoint a Committee of five (5) members to notify the House of Representatives that the Senate has completed its labors and is ready to adjourn sine die.

The Motion in Writing was read and was adopted.

The President announced the following as a Committee to notify the House: Senators Kennard, Jordan, Bridges and Strong.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

S. B. No. 55, A bill to be entitled "An Act amending Sections 2 and 3 of Chapter 3, Acts of the 61st Legislature, Regular Session, 1969, by removing the limitations on the net effective interest rate on public securities issued and sold by public agencies, subject to certain exceptions; and declaring an emergency."

S. B. No. 29, A bill to be entitled "An Act relating to the issuance of certain bonds by cities having a population of 5,000 or more; etc.; and declaring an emergency."

S. B. No. 4, A bill to be entitled "An Act relating to the commissioners court providing office space and office equipment for members of the Legislature; and declaring an emergency."

S. B. No. 36, A bill to be entitled "An Act relating to the creation of park boards of trustees by certain Home Rule cities bordering on the Gulf of Mexico; etc.; and declaring an emergency."

S. B. No. 16, A bill to be entitled "An Act declaring the public policy

of the State of Texas concerning the maintenance and cleaning of public beaches; etc.; and declaring an emergency."

S. B. No. 37, A bill to be entitled "An Act relating to the Court of Domestic Relations for Galveston County and to the Galveston County Juvenile Board; etc.; and declaring an emergency."

S. B. No. 35, A bill to be entitled "An Act relating to certain motor vehicle liability insurance policies involving vehicles owned or held for sale or repair by a person engaged in such business and the applicability of such policies to persons other than the named insured; etc.; and declaring an emergency."

S. C. R. No. 4, Creating the Ad Valorem Tax Study Commission.

S. C. R. No. 5, Dedicating easements of certain tracts of land to the City of Austin.

S. C. R. No. 8, Granting J. J. Fritch permission to sue the State of Texas.

S. C. R. No. 9, Creating the Consumer Credit Study Committee.

S. C. R. No. 13, Providing for acceptance of gifts by the State of Texas.

S. C. R. No. 15, Establishing an Interim Committee to study the beaches of Texas.

S. C. R. No. 16, Concerning the Legislative intent of H. B. 579 passed by the 61st Legislature, Regular Session.

S. C. R. No. 17, Granting authority for the return of the Battalion Activa de Toluca Flag to the Republic of Mexico in exchange for the Flag of the Alamo.

S. B. No. 60, A bill to be entitled "An Act authorizing any political subdivision, as defined in this Act, to sell its water improvement bonds as defined in this Act, use the proceeds for the purchase of state bonds as defined in this Act at not less than par and accrued interest to date of delivery, and resell the state bonds to the highest bidder even at a discount; etc.; and declaring an emergency."

S. B. No. 58, A bill to be entitled "An Act establishing and adopting

an Antiquities Code for the State of Texas; setting forth the public policy of the State; etc.; and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act vesting the control and management of Stephen F. Austin State University in a Board of Regents created by this Act; and declaring an emergency."

S. B. No. 25, An Act declaring the public policy of this state regarding the recreational use of certain beaches; authorizing the licensing of certain business establishments which do not interfere with such use; providing for certain exemptions; providing a penalty for violations; and declaring an emergency."

S. B. No. 21, A bill to be entitled "An Act relating to workmen's compensation coverage for municipal employees; etc.; and declaring an emergency."

S. B. No. 34, A bill to be entitled "An Act relating to the salaries of certain officials in certain counties; and declaring an emergency."

S. B. No. 9, A bill to be entitled "An Act amending Acts 1925, 39th Legislature, Chapter 25, authorizing Water Control and Improvement Districts containing any city to annex territory heretofore annexed to such city where the District provides water or sewer services to such city or its inhabitants thereof; etc.; and declaring an emergency."

S. B. No. 5, A bill to be entitled "An Act amending Statutes as relating to certain exemptions from the definition of dentistry; providing a repealing clause; providing a severability clause; and declaring an emergency."

S. B. No. 27, A bill to be entitled "An Act authorizing the Tarrant County Commissioners Court and the El Paso County Commissioners Court to contract with political subdivisions for the performance of governmental services and authorizing political subdivisions in Tarrant County to contract with Tarrant County and/or with each other for such services; and authorizing political subdivisions in El Paso County to contract with El Paso County and/or with each other for such services; providing terms and conditions for such contracts; provid-

ing for severability; and declaring an emergency."

S. B. No. 18, A bill to be entitled "An Act relating to permits for the excavation of sand, marl, gravel, or shell from islands or peninsulas bordering on the Gulf of Mexico, or from land within 1500 feet of a public beach; etc.; and declaring an emergency."

S. B. No. 40, A bill to be entitled "An Act authorizing creation of a Hospital District over part of Free-stone County, to be known as the Teague Hospital District; etc.; and declaring an emergency."

S. B. No. 33, A bill to be entitled "An Act amending Statutes, relating to the official duties and compensation of the Criminal District Attorney of Galveston County; and declaring an emergency."

S. B. No. 8, A bill to be entitled "An Act relating to the mode of applying for registration as a voter and to the information required on the application, the registration certificate, and the list of registered voters; etc.; and declaring an emergency."

S. B. No. 26, A bill to be entitled "An Act authorizing home rule cities of this state to establish, acquire, lease, purchase, construct, improve, enlarge, equip, repair, operate, and maintain parking structures, parking areas, parking garages or facilities for off-street parking or storage of motor vehicles or other conveyances; authorizing the governing body of such cities to exercise the right of eminent domain to acquire fee simple title to property for the purpose of acquiring sites for off-street parking facilities; authorizing such cities to regulate the use of such facilities and to establish rates and charges for the use thereof; etc.; and declaring an emergency."

S. B. No. 30, A bill to be entitled "An Act relating to the establishment of an advisory council for the study and research of the problems of children with learning disabilities and defining the duties of the Texas Education Agency and the commissioner of education concerning study and research into the problems of children with learning disabilities, and the development and carrying out of diagnostic and treatment programs for such children; and declaring an emergency."

S. B. No. 39, A bill to be entitled "An Act amending Section 2 of Chapter 320, Acts of the 59th Legislature, 1965, Regular Session, relating to the appointment of a Chairman of the Governor's Committee on Aging; and declaring an emergency."

S. B. No. 72, A bill to be entitled "An Act amending Sections (D)(2) and (L)(3), Article 20.01, Title 122A, Taxation—General, Revised Civil Statutes of Texas, 1925, as amended, to exclude the amount charged for certain labor or services from the definitions of 'receipts' and 'sales price' within the meaning of the Limited Sales, Excise and Use Tax Act; and declaring an emergency."

#### Governor Notified

The Committee to Notify the Governor that the Senate was ready to adjourn sine die appeared at the Bar of the Senate and Senator Herring for the committee reported that the Committee had performed the duty assigned it.

The Committee was discharged.

#### House Notified

The Committee to Notify the House of Representatives that the Senate was ready to adjourn sine die appeared at the Bar of the Senate and Senator Kennard for the Committee reported that the Committee had performed the duty assigned it.

The Committee was discharged.

#### Senate Notified

A Committee from the House of Representatives appeared at the Bar of the Senate and Mr. Murray for the Committee notified the Senate that the House was ready to adjourn sine die.

#### Adjournment Sine Die

The President announced that the hour for final adjournment of the Second Called Session of the Sixty-first Legislature had arrived.

Senator Jordan moved that the Senate stand adjourned Sine Die.

The motion prevailed and the President declared the Second Called Session of the Sixty-first Legislature adjourned Sine Die at 6:00 o'clock p.m.

#### Memorial Resolutions

S. R. No. 60—By Senator Wilson: Memorial resolution for Specialist Fourth Class David A. Strong.

S. R. No. 61—By Senator Wilson: Memorial resolution for Mrs. Carrie Pryor.

S. R. No. 62—By Senator Watson: Memorial resolution for Thomas Eugene Barrington.

S. R. No. 75—By Senator Hazlewood: Memorial resolution for Dr. Lewis K. Patton.

S. R. No. 82—By Senator Watson: Memorial resolution for Alfred Ballman.

S. R. No. 84—By Senator Watson: Memorial resolution for H. W. (Henry) Wright.

S. R. No. 86—By Senator Schwartz: Memorial resolution for Irwin P. Dantin.

S. R. No. 87—By Senator Schwartz: Memorial resolution for James L. McKenna.

S. R. No. 88—By Senator Herring: Memorial resolution for Jack Henry Linam, Jr.

#### Welcome and Congratulatory Resolutions

S. R. No. 56—By Senator Watson: Extending welcome and privileges of the floor to Dr. Milton Schiller of Texas State Technical Institute.

S. R. No. 57—By Senator Watson: Extending welcome to Bob Hawkins, et al.

S. R. No. 58—By Senator Wilson: Extending best wishes to Josiah Wheat on his election as President of the State Bar of Texas.

S. R. No. 59—By Senator Wilson: Extending congratulations to Lance Corporal David McKenzie on award of Navy Commendation Medal.

S. R. No. 63—By Senator Wilson: Extending congratulations to Miss Peggy B. Pearson on her graduation from Texas A&M University with high honors.

S. R. No. 64—By Senator Wilson: Extending gratitude to Sergeant Clyde Carter for his service to his country.

S. R. No. 65—By Senator Wilson: Commending Captain Gerry W. Fel-

der for his bravery in the Vietnam War.

S. R. No. 66—By Senator Wilson: Commending U. S. Infantryman Pfc. Wayne Todd for his heroism in the Vietnam War.

S. R. No. 67—By Senator Wilson: Commending Army Sergeant First Class James E. Clifton for his bravery in the Vietnam War.

S. R. No. 68—By Senator Wilson: Commending Army Staff Sergeant Hubert Hancock for his valorous service to his country.

S. R. No. 69—By Senator Wilson: Commending Army Sergeant First Class Newton A. Broussard for his distinguished service to his country.

S. R. No. 70—By Senator Wilson: Extending congratulations to five outstanding students of Stephen F. Austin University.

S. R. No. 71—By Senator Wilson: Commending Curtis Mills for his achievements in the athletic world.

S. R. No. 72—By Senator Wilson: Extending congratulations to United States Air Force Staff Sergeant Robert W. Burt for the recent recognition of his meritorious service.

S. R. No. 73—By Senator Wilson: Extending congratulations to Pfc. Bobby R. Goynes on his receipt of the Bronze Star Medal.

S. R. No. 74—By Senator Wilson: Extending congratulations to Specialist First Class Amous Black on his bravery and courage in the face of battle.

S. R. No. 79—By Senator Watson: Extending welcome and privileges of the floor for the day to Jim Hamm, et al., of Temple.

S. R. No. 80—By Senator Watson: Extending welcome to Mr. and Mrs. Bill Quinton of Waco.

S. R. No. 83—By Senator Watson: Extending appreciation to Reed McDonald of Texas A&M University for his contributions to the agricultural industry of Texas.

#### APPENDIX

Sent to Governor  
September 9, 1969

S. B. No. 13  
S. B. No. 17

S. B. No. 7

S. B. No. 10

S. B. No. 11

S. B. No. 12

S. B. No. 14

S. B. No. 31

S. B. No. 32

S. B. No. 23

S. B. No. 20

S. B. No. 19

S. B. No. 15

S. B. No. 6

S. B. No. 55

S. B. No. 16

S. B. No. 37

S. B. No. 35

S. B. No. 36

S. B. No. 58

S. B. No. 60

S. B. No. 4

S. B. No. 29

S. B. No. 64

S. B. No. 25

S. B. No. 21

S. B. No. 34

S. B. No. 72

S. B. No. 9

S. B. No. 5

S. B. No. 27

S. B. No. 18

S. B. No. 40

S. B. No. 33

S. B. No. 8

S. B. No. 26

S. B. No. 30

S. B. No. 39

S. C. R. No. 13

S. C. R. No. 9

S. C. R. No. 8

S. C. R. No. 4

S. C. R. No. 5

S. C. R. No. 16

S. C. R. No. 17

S. C. R. No. 15

#### Sent to Comptroller

September 9, 1969

S. B. No. 22

S. B. No. 24

S. B. No. 75

S. B. No. 73

#### Sent to Governor

September 11, 1969

S. B. No. 22

S. B. No. 24

S. B. No. 75

S. B. No. 73

In Memory of  
**Robert H. Hering**

---

By unanimous consent, Senator Watson offered the following resolution:

(Senate Resolution 90)

Whereas, On August 12, 1969, the State of Texas lost one of its most highly esteemed citizens with the death of Robert H. Hering, uncle of Senator Charles Herring of Austin; and

Whereas, Mr. Hering, who died at the age of 84 in Houston, was a native of Brenham and moved to New Orleans while still a young boy; in 1942 he moved to McGregor; and

Whereas, On December 26, 1952, after the death of his first wife, Mrs. Myrtle Hering, he was married to the former Mrs. Martha Hunter, who survives; other survivors include two sons, Woodrow Hering and Robert Hering, Jr; brothers, Luther Hering, Jim Hering, Charlie Hering, and Albert Hering, all of McGregor; and sisters, Mrs. Matilde Schele, Mrs. Louise Wittie, Mrs. Adeline Scrugs, and Mrs. Nora Wiese, of McGregor, and Mrs. Nettie Lafitte, of Shreveport, Louisiana; and

Whereas, Robert H. Hering was a retired farmer and rancher in the McGregor area, and his leadership in improving agriculture in Texas was widely recognized; and

Whereas, He was a member of Zion Lutheran Church in McGregor; and

Whereas, The Senate of the 61st Legislature, 2nd Called Session, wishes to honor this citizen who did so much for his city, his county, and his state; now, therefore, be it

Resolved by the Senate of the State of Texas, That this Resolution stand in recognition of the Christian life and dedicated service of Robert H. Hering, and that copies be prepared under the Seal of the Senate for his wife and sons and his nephew, the Honorable Charles Herring; and, be it further

Resolved, That when the Senate adjourns this day, it do so in memory of Robert H. Hering.

WATSON  
HERRING

The resolution was read and was adopted by a rising vote of the Senate.